

Adams 170.9 no. 3



MEMORIAL,

TO JUSTIFY

PETER LANDA I's

CONDUCT DURING THE

L A T E W A R.

B O S T O N:

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To the P U B L I C.

THE next step of a Nation towards the happiness of its individuals, after having struggled for, and gloriously obtained, its freedom, is to establish Justice, which is generally obstructed by party and lawless men, to gratify their private views during such contest. It is not sufficient in this country to establish justice for the American-born sons only, it must be also impartial for, or against, any naturalized men in the United States. Patriotism does not consist in oppressing the dutiful emigrants to indulge the avidity of the rapacious countrymen, but to support either, when injured at home or abroad, by unjust powers.

I submit, with all possible humility, this Memorial to the judgment of the candid Reader ; but I stand in the greatest need of his indulgence, being under the disadvantages of not knowing thoroughly the language ; obliged to speak of myself, which always appears selfish ; compelled to detect a number of artful men and parties, which may be suspected from me as aspersions against my enemies : All these considerations would have kept me a silent victim, was it not my duty to do my utmost to shew the injustice done to me, in order to warn others, if possible, in similar circumstances ; and also the legislative power, that they may be enabled to prevent the same : being confident that the proofs thereof, I am about to give, are so obvious that every body who will read this Memorial, will be convinced that I was in

MEMORIAL, &c.

I Was born at St. Malo, city of France, and was admitted in the King's sea-service of that country in the capacity of Lieutenant of a Frigate, in the beginning of the year 1763, and had the misfortune to be dangerously wounded in an engagement six months after. During the peace, which was concluded then, I was almost all the time employed at sea in the same station, and made the voyage round the world on board the *Etoile* (the Star) under the orders of Mr. de Bougainville. During the Ministry of Mr. de Boyneis, I was promoted to the rank of Captain de Brulot (Fire-ship) in the year 1773; and a month after was appointed Captain of the line of battle-ship the *Flamand*; which preferment roused the jealousy of the officers of similar rank in that service against me to such a degree that it never subsided since. When Mr. de Sartine succeeded to that Ministry, all the officers who had been most inveterate against his predecessor, surrounded him; took the advantage over the others, and forgot nothing to annoy those who had obtained any of the King's favour during the preceding Ministry: in consequence thereof, the Cross of St. Louis, which I had the promise to be knighted immediately with, was refused me after by Mr. de Sartine, and he ordered me to go to Brest; where, being arrived, I received the commission of Lieutenant of that harbour. Soon after, an ordinance from the King was issued, by which the officers of the harbour were no longer to be promoted in their rank with the other officers in the navy; whereupon I wrote and represented to the Minister, that I was not in that line of service I had been in hitherto, and wherein I had merited and obtained the King's favour, and begged to be restored to it; and to the contrary, occupied one I was ignorant of, and of course useless in it: he sent in answer my discharge to General D'orvilliers, wherein was expressed the King's satisfaction for the service I had rendered in the several offices I had occupied; but there was no pension as usual, nor the Cross of St. Louis, was added to it. Mr. de Sartine sent it thus, thinking I would never leave the service, or accept my discharge, without having obtained first those things. General D'orvilliers said and did all he could to make me stay in the service; but I insisted so effectually, that after three days, he delivered to me my discharge, and I went to Paris.

In the beginning of the year 1777, I imparted a plan to D. Franklin, which he approved of much; but Mr. de Sartine, having been told of it, forbid to put it in execution. I acquainted Dr. Franklin with this disappointment; he told me he had taken some informations about me which were to my advantage, and my services would be agreeable to America; in consequence thereof, that Mr. Deane was going to fit out two ships loaded with very necessary stores for America, and I could not recommend myself better to Congress than by carrying one of them, and to speak to Mr. Deane, who was in the next room: accordingly I went, but he informed me that expedition could not take place yet, that he would let me know when it should be time.

In

In April we agreed verbally, Mr. Deane and I, that the sum of twelve thousand livres tournois, on my arrival in America, with the ship and cargo, would be paid to me as a gratuity ; and the commission of Captain of man-of-war in the American navy would be delivered to me with my instructions, how to carry on said expedition. But having heard that several officers sent in America by Mr. Deane, had not been employed when arrived, I told him I wished to see Dr. Franklin (who was removed to Passy) give his assent to our transaction, which he did on the first of May, and Dr. Franklin wished me a happy passage, and said he expected to hear that on my arrival in America, I had obtained the command of one of the 74 gun ships, which would be launched by that time : and Mr. Deane assured me he would write by all opportunities to acquaint Congress with our transactions, and that I should find every thing in America as I wished.

The same afternoon I sat off for Marseilles, where the ship was : being arrived there, with the necessary secrecy and great difficulties, I had her loaded with brass guns and mortars, bomb-shells, shots, powder, brimstone and muskets ; but was detained there five months by contradictory orders from Mr. Deane : during which time I was sent for by Mr. Bertin, the General Commissary for the navy, who told me he had received orders from Mr. de Sartine to make a secret expedition, and to offer me the command of it ; and if I accepted it, I might depend upon obtaining all the reward I could expect for my former service. I answered I was very sorry I could not accept and accomplish the Minister's order, as I had the command of a ship in the harbour confided to my care, which I could not leave : he replied, that he would prevent my sailing in her, and ordered me to unload her : I told him I had no money to do it ; but I would write to Paris for some ; and accordingly I wrote to Mr. Deane, and at last all difficulties were over.

I sailed on the 29th September from Marseilles, with a crew composed of all sorts of men of different nations, having on board as passengers, General Stuben, two of his Aids-de-camp, and Mr. de Francy. We went pretty slowly and quietly as far as Bermuda : but when the crew perceived the ship steered northerly, they began one day to grumble from breakfast time until after dinner, when a great many of them gathered together on the fore-castle, where they were very saucy, and said they would not go to North-America ; having observed there were three ring-leaders among them, and that it was indispensably necessary to stop the mutiny by open force, since they would not yield to reason, I ordered the Gunner to have some muskets ready loaded, and to hand me a couple of hangers, of which I gave one to the First-Lieutenant, and told him to follow me on the fore-castle, having left General Stuben, with his own sword in hand, on the quarter-deck, to prevent the mutineers from getting masters there, I went directly with my hanger up to the thickest of the mutineers, dispersed the three ring-leaders : seeing they were abandoned by the rest, they got up in the fore-mast shrouds ; but seeing I had called for loaded muskets, which were brought to me, they all three surrendered themselves. I had them put in irons, and without any further punishment, all were quieted. We met with very heavy and squally gales of north-west winds, and rough seas, for a long time, but at last got into Portsmouth River, in Hampshire, on the 2d December 1777 ; the place of my destination, where I delivered, as per orders, the ship and cargo to Mr. de Francy.

As soon as arrived I wrote to, and acquainted, the Honourable Congress with the important cargo I had brought in the ship, and how I came upon promise and expectation of having soon a command, being commissioned Captain in the American navy, and had also the promise of being paid, as soon as arrived, the sum of twelve thousand livres tournois gratuity, for bringing her there, but received no answer to that letter, nor those I wrote after from Boston, where

I spent the winter, which determined me to go to York-Town. Being arrived there, in the latter end of April, 1778, I applied to the Marine Committee, and exhibited my commission and correspondence with Silas Deane, Esq; which contained his promise, that I should be promoted and well rewarded; but no sum was stipulated, and they said they had received no intelligence thereof, although he had told me he would send; however, having made their report, it was resolved,

“ In CONGRESS, May 9, 1778.

“ RESOLVED, That a sum of money be paid to Captain Landais, and that the Marine Committee be directed to report a pecuniary consideration adequate to his service.”

“ RESOLVED, That Capt. Landais be continued as a Captain in the navy of the United States.”

“ Extract from the minute,” (Signed) “ CHARLES THOMSON, Sec’y.”

By which resolve it appears manifest, that the intention of Congress was, that the sum of money which should be adequate to my services, or agreed upon, was due to me from the date of that resolve; and in consequence thereof, the Hon. Richard-Henry Lee and Samuel Adams, Esq’s. offered me two thousand dollars, which sum I refused to receive, claiming the whole sum of twelve thousand livres promised to me, amounting to two thousand and four hundred Spanish milled dollars.

Congress resolved, “ In CONGRESS, 19th June, 1778,”

“ RESOLVED, That Capt. Peter Landais be appointed to command the new Frigate, called the Alliance.” “ Extract from the minute,” (Signed) “ CHARLES THOMSON, Sec’y.”

I received the same day a letter of orders, of which follows this extract, viz.

“ S I R,

“ Marine Committee, June 18th, 1780.

“ CONGRESS having appointed you to command the Frigate Alliance, you are to repair to Boston, &c.—We have agreed that the consideration of a gratuity to be made you, be deferred until we shall be enabled by consulting with Silas Deane, Esq. to judge with propriety what sum will be adequate to your service.”

“ We are, Sir, your obedient Servants,

(Signed) RICHARD-HENRY LEE, C. M. C.

“ Peter Landais, Esq.”

Having already heard of the undutifulness of some of the officers in the navy, I requested a letter to recommend the Navy-Board at Boston to appoint such ones as they thought would obey my orders, which was given me, and I transmitted to the Hon. James Warren, Esq, President thereof, as soon as arrived there; but he told me the two First-Lieutenants were already appointed and on board the Frigate Alliance at Salisbury, where she was built. I enquired about them, and was told they were the most litigious in the service, and had already participated to have one of the ablest Captains in the service broke.

I went to Salisbury and took the command of the Frigate Alliance, but the two Lieutenants received me with visible reluctance, which was confirmed by their conversation; however, I over-looked it, thinking good usage would over-come their prepossession against me: they soon finding

finding that they could expect no reasons to alledge against my dutifulness and activity, began to try to draw me in their snares ; they feigned to have an irreconcilable quarrel together, and came both to me, one after the other, to tell me they could never, for the future, agree, and requested I would discharge one of the two : I told them it was forbid me, by the regulation of the navy ; that we would soon be in Boston, where they might make their request on that account, to the Navy-Board there ; but if they could not stay till then, they might write and state their affair to said Navy-Board, and wait for their answer ; when they saw I had penetrated into their scheme, they never said a word more about it.

When we were come down with the Frigate before Newbury town, the first Lieutenant came to ask my leave to go to Boston ; I told him I could not grant it, as there were but two Lieutenants, and the ship being in a narrow bed of the river, where she must be kept afloat, by flaking or heaving every change of tide upon the cables according to the wind, otherwise she would be aground : he replied, he did not care whether she went aground, nor for my leave to go to Boston, he would go, and accordingly went. I wrote the same day to the Navy-Board, acquainting them that the First-Lieutenant had applied to me for leave to go to Boston, but I had refused his request, as the ship required his attendance then more than ever ; and as he insisted upon going there, if they chused, he should go to send him their leave, without mentioning that he was already gone against my will, knowing they must know it by seeing him there ; and it happened, he was in the Navy-Board when they received my letter, by which they could plainly see the disobedience of that officer ; nevertheless, they wrote to me two days after, in an open letter by him, that I could give leave of absence to the officers whenever I should think proper ; by which I saw that, instead of punishing the said Lieutenant for leaving the ship and his duty, against my consent, they supported him, and gave me a charge which would bring new trouble upon me, as it would dissatisfy the officers, when, by the service, I should be compelled to refuse them leave of absence.

We brought the Frigate Alliance to Boston in the beginning of August, where the Lieutenants undutifulness increased daily ; they seldom remained on board in the night, and rarely any one was on deck in the day time, and did all they could to oppose my orders and subvert the service. The First-Lieutenant one day came at the head of the sea-men, amongst which were a great many Englishmen, to request of me, that, instead of having their allowance given to them as usual, in grog, I would order the ship's Steward to give it to them in rum : I told him it could not be done, by the danger that, after having drank their rum, they must drink water to quench their thirst, which would make them sick with cholic, looseness and flux ; but he insisted, with the sea-men, upon it, saying it was cold weather then. I caused my Clerk to read on the quarter-deck, an article which forbids it, from the English regulations of the navy, which I was directed to follow ; nevertheless, when I was abroad, the officers ordered the Steward to give raw rum to the people ; and did such things to coax the people, and to alienate them from me. It was given out in town, that I used the sea-men on board very ill, on purpose to prevent others to enlist.

The Navy-Board ordered me to prepare and dispose, with all possible secret, the Frigate to receive the Marquis de la Fayette and his suit, consisting of nine gentlemen and their servants, on board in order to carry them to France : as the bread-room had been made before I took the command, by the direction of the first Lieutenant, of double the room requisite to put the necessary bread, I ordered to take three feet and half on each side of it to make a gallery round it, as there was all round the ship's inside, for in an engagement to have it clear, that the Carpenter might easily plug any shot holes under water ; besides that advantage, and keeping the

the bread-drier, it procured room where to put in six beds for the passengers : and in order to have the bread steady in the bread-room, upon the different tacks and motions of the ship, preserved better, and have sufficient room, I ordered the First-Lieutenant, when I was going on shore, to have all the biscuits stowed one by one, by which means it would take only the two-thirds of the same room it would by being promiscuously thrown in : but instead of having my order fulfilled, he had two men to empty the bags of bread in the bread-room, as fast as they could. When I came back on board, I found them employed at that work, in his presence : I told him it was very strange, that though I charg'd him positively to have one thing done one way, he always had it done in the contrary : he replied, that it was none of his business to have the bread stowed : I told him it was his business to transmit the orders I gave him when I went on shore, that they might be executed : he said he had never heard before of stowing the bread, and I might order some body else to have it done, as he could not order it. He told me that they wanted to have a stove in the ward-room : I replied, it was always warm enough there without one ; he said no more, but all the three Lieutenants of the ship (as there was a third one come) and the Captain and Lieutenant of marines, all together left the ship.

I went to the Navy Board ; Mr. Warren was upon his Farm at Plimouth, Mr. Dischaus at New-London, to fit out the frigate *Confederacy*, and there was no body but Mr. Vernon, I told him all the officers undutifulness, and how it was impossible to have the service done with them, and that they had left the ship ; he told me I might depend upon having a new set of officers before I should sail, but as there were none in Boston to receive them on board until they could be replaced, and they returned after four days absence : the Captain of the Marines told me, he and all the other officers had agreed together, that, if ever I put any one under an arrest there, every one would go. I acquainted again the Navy-Board with the officers resolution, which would take out of my power, all manner of corrections and consequently of amendment. Mr. Vernon repeated his promises, saying those officers should not go in the ship.

Capt. Barry told me, with an air of confidence, that my officers, with all the Captains, had wrote a petition to the Admiralty or Congress (I dont remember which) against my commanding the Alliance, though they had no other reason to give against me but that I was a Frenchman ; and he added, that he would not sign it, as Congress knew what they were about when they resolved giving me said command ; which last part was false, as he signed it one of the first as will appear hereafter.

The Frigate Alliance being almost ready, I wrote to the Marine Committee in Philadelphia, where they had removed with Congress, that Silas Deane, Esq; having been there some time, they had opportunity, according to their desire, to enquire of him about our transaction between he and I, assented to by Dr. Franklin, about the twelve thousand livres gratuity promised to be paid on my arrival in America, for bringing the ship *Flaman*, as I had done ; and as I doubted not he would confirm my right claim on that account, I begged that Congress, who waited only for their report on that subject to have me paid, would order said sum to be paid to me whilst in France, where I was ordered to go in the Alliance : I received no answer.

The crew of the Alliance being by great many too short, the other men-of-war at Boston, gave twenty men to increase it, and I had besides thirty sick Frenchmen left there by Admiral Count d'Estaing's Squadron, to enable me to carry the Frigate to France, where I was told I would find American seamen enough coming from the English prisons to complete the crew with.

Before

Before the Frigate Alliance went down to Nantasket road, I applied to the Navy-Board to have their promise of a new set of officers fulfilled, as those I had grew worse every day ; but the answer was, those I had would be better, when once out of Boston, and that they had no others ; but they wrote a letter to recommend those officers to behave well ; the Marquis de la Fayette being on board, who might take notice of any thing that might happen to the contrary.

The Marquis de la Fayette and the other French gentlemen being on board, and all ready, I went to the Navy-Board to take my sailing orders from them, but they told me there was a report, that about eighty English sea-men from the Sommerfet English man-of-war lost upon Cape-Cod, were on board the Frigate Alliance, where they had entered with the plot and prospect to raise against the American and Frenchmen on board, in order to get masters of the Frigate and carry her to New-York ; I went with Mr. Vernon to the goal where it sprang from, to hear more about it, but the man who had gave it out as a certain truth had been released the day before and could be found no where. The Navy-Board nevertheless ordered me to sail and keep good look out to prevent any such things happening. It may be remarked under what sinister auspices I was to proceed, having no officers that would obey me, and an appearance of such plot on board, having not twenty born Americans in the crew to help me to prevent or oppose it. I went on board, and we sailed on the 14th January 1779, in company with the Frigate Deane, which we parted with the 16th instant.

On the 20th instant, having had the three days before very various strong winds and high seas, by which all the riggings, which was new and frozen, when we sailed out of Boston, and had stretched to such degree that only the preventers stays kept the lower masts standing up, seven of the main and fore-masts shrouds plate having given way, though the top-gallant-masts and yards was struck down, the main-top mast went overboard in the night, a heavy sea came on board, kept the ship on her beams end for about a minute, and carried away the pinace boat, some spare masts and yards from upon the beams, and all the crew abandoned the deck and went to hide themselves between decks, where one was found smothered dead. On the 24th instant, having been prevented till then by the bad weather and continual high sea, we had a another main-top-mast rigged and hoisted up, after which we had all fixed as well as possible.

On the first February, at 3 o'clock A. M. one of the Master's Mate came to acquaint me that he had heard something that night, of a conspiracy, to take the Frigate from us and carry her to England, by a party of the crew, but that they intended to do it only when we would be upon sounding ground, as he knew but few of them, and he had heard but loose words about it, I told him to be watchful and keep himself, or another, that could understand them in Irish, always in the place where from he said he could hear all they said in the Marines birth, where they assembled to consult how to put their plan in execution, and to let me know as soon as possible whatever he could hear : I told likewise the First Lieutenant to watch on his side and let no body know it but the Captain of Marines, that he might put no centries by the arm-chests and other important posts, but those he could well depend upon, those officers being very punctual in their duty, and no present dangers, I thought unnecessary to acquaint the Marquis de la Fayette with it, which might make him uneasy, until it became urgent.

The same Masters Mate came the next night after to tell me further, that he had heard the plotters agree to put their plan in execution the night following at one o'clock, A. M. as there would be none out of bed but those on watch upon deck. As soon as it was day-light I went in the state-room which the Marquis de la Fayette occupied, awoke and acquainted him with the plot

plot going on, and begged he would tell the same to the other French gentlemen, and at the same time to keep it yet secret ; and I went to give proper orders to prevent the mutineers to succeed in their attempt ; I sent for the First-Lieutenant, told him to go in the ward-room with some trusty men, to hand out of the ward-room stern ports to the Cabin windows, where I would have some body to take in some spears, muskets, bayonets, pistols, hangers and cartridges, which were there ; that was done in a moment's time, the bayonets fixed to the muskets, which were loaded, and the pistols in sufficient quantity. I did this, because if we had taken the arms out of the arm-chests on the quarter-deck, the mutineers perceiving it, might have rushed all together, or pointed the two fore-castle nine-pounders, which were ready loaded, and rushed upon us before one musket would have been loaded ; besides, they might have easily seized upon two bunches of pikes which were laying in the quarter-deck netting : when we were thus prepared, we could wait for the event calmly, as the Marine officer on the quarter-deck had orders to stamp with his feet on the quarter-deck, if he saw any extraordinary motion, for a signal to twenty who were in the cabin, to come altogether armed upon the quarter-deck.

When we were sitting at dinner, the Master's Mate came in a hurry to tell me, that the plotters were assembled and coming whilst we would be at dinner. I asked him whether he knew the ring-leaders ; he told me he did. I begged of the Marquis de la Fayette, that he would tell eight of the French gentlemen to arm themselves with muskets, &c. and come upon the quarter-deck : the Marquis did, and headed them. I desired Col. Duplecix to head all the servants, sent for the rest of the French fore-mast men, and all to remain in the cabin, and look out of it, to prevent the mutineers from pointing the deck guns on the cabin, and to fire upon them if they offered to do it. I went with the Marquis de la Fayette and the eight gentlemen upon the quarter-deck, showed them the two arm-chests and two bunches of pikes, which I begged the Marquis de la Fayette to have well guarded, and to see that nobody touched the two fore-castle guns, and prevent any body from going up in the tops, where there were arms and ammunition. I told the First-Lieutenant to see upon deck, and sent another between decks to prevent any party of seamen assembling together.

I sent for the Armourer, told him to bring hand-cuffs and fore-locks in the cabin, and went there, where I found the Master's Mate ; I asked him who were the ring-leaders, he told me the Master at Arms, who had the charge of the small-arms ; the first Serjeant of Marines, who had the care of the arm-chest ; and the first Gunner's Mate. I sent for the first of these, had him hand-cuff'd and put in the starboard quarter-gallery, under the guard of a Frenchman ; the second was likewise shut in the larboard quarter-gallery ; and the third was, in the same way, put in the state-room. As soon as those three were well secured and parted, I sent eight of the Frenchmen, under the command of an officer, to relieve the officers upon the quarter-deck, and went to desire the Marquis de la Fayette, the French gentlemen, the officers of the ship and of marines, to assemble in the cabin to make a Court of Inquiry.

The Master at Arms was first brought in ; but he would own nothing : he was put again in the same place. The Serjeant of Marines was brought in next ; he would own nothing before the Court, but he said to Col. Duplecix, who went with him to have him secured in the ward-room, that if the Court would save his life, he would disclose all the plot. The Gunner's Mate being brought in, he owned the plot, and said the Master at Arms was the headmost of the ring-leaders, and had plann'd it in Boston as he was employed in enlisting the crew ; that they were about eighty that agreed together to carry this horrid plot on, as they had determined to ransom almost every one except the Marquis de la Fayette, whose life they would have saved, expecting to have a reward for him of the English government. He named some of the abettors,

which were instantly put in irons ; he was sent down the ward-room and secured there. The Serjeant was brought in again, and charged likewise the Master at Arms, and that he was the mover of the plot when at Boston enlisting the men : that the plan was, to take the ship as soon as sailed out of Boston, and carry her to New-York ; but the company of the Frigate Deane, and the bad weather prevented their doing it then : that to put it in execution, they had agreed that one of them would go at the mast-head and cry out, a Sail, upon which all hands would be ordered to their quarters : that the Gunner's Mate, who had the management of the two fore-castle guns, with all the fore-castle foremast men, which were in the plot, would help him to point on the quarter-deck and fire one thereof on one side, and the other on the other, to sweep off all they could, and all together, armed with crow's and hand-spikes, to rush on the quarter-deck, get masters of the arm-chests and pikes ; next destroy all the Frenchmen on board, except the Marquis de la Fayette : the Captain was to be put in irons in one of the boats, and let loose at sea ; and some of the officers of the ship were to be skinned alive, &c. We had thirty-eight put in irons, most of which owned the plot ; but the Master at Arms, though charged by all the others, did never own any thing. Having all the most guilty in irons, in a close birth between decks, well guarded by Frenchmen, a good guard upon the quarter-deck, and the Marquis de la Fayette, the French gentlemen and their servants, as well as all the officers of the ship, keeping guard day and night by hours, we left the Court of Inquiry, as it required a regular Court-Martial to proceed farther with the culprits, and proceeded on our passage. I have been particular in relating as concisely as possible this affair, because it was printed differently in the papers at Paris ; and because I think the infallible method to bring out a plot in a crew was taken, which will never fail in such case : to the contrary, had the three ring-leaders been confined together, it would have been more difficult to bring the truth out of their own mouths.

On the fourth instant we saw and came up with two Swedish vessels, one a ship, the other a snow, coming last from Mounts-Bay, in England, where they had taken in their cargo : I ordered the two Masters thereof to bring their papers on board to be examined ; but they brought but part of the necessary one ; I asked the officers opinions ; they told me they appeared to be English property, and it was their advice to carry them into France to be examined. I sent a crew on board each of them, and ordered them to the first port they could make ; but only the ship arrived at Morlais : the snow was met with by an English privateer, which carried her to England. We arrived at Brest on the 6th February, where the Marquis de la Fayette and the French gentlemen landed the same day.

An hour after the Marquis de la Fayette was gone on shore, the officers who I had not a word with during the passage, seeing that there was no witness left to see their conduct but myself, assembled and came all together in the cabin, and told me they were come to desire me to write to Dr. Franklin to send them some money : I told them I could not, but that I would send somebody to him if they would all together write to him, and represent their want of money ; it would be the best way to obtain it, without saying a word more about it. They asked me for their discharge ; I told them I could not give it. Some said they would not stay in the ship unless I would procure them some money, and they went all away grumbling.

The next day after I sent Dr. Windship, the ship's head Surgeon, to Paris to carry to Dr. Franklin the packets I had for him ; by whom I wrote to him that which had happened during our passage ; sent him copy of what we had gathered from the mutineers ; acquainted him with the want of papers produced by the two Swedish Masters, to prove them neutral property ; how the Frigate Alliance had suffered, and wanted repair in her rigging, iron work, &c. and begged

begged of him his orders in general, and in particular concerning the mutineers and repairing the ship. I wrote likewise to Mr. Shwighauser, agent at Nantes, and sent him these copies just mentioned, and requested of him his orders on those topicks.

Some days after, Monsieur de Grogniard, the chief Engineer for the French navy, came the same day he arrived from Paris on board : he told me that if I would write to Mr. de Sartine, and request of him the reward I expected for my former service, he knew, from good authority, I should obtain it : I told him I could not, as I was in another service then. He took the plan of two sliding gun carriages I had had made for the cabin stern guns ; admired the ship's Carpenter's work, and went away.

In Dr. Franklin's answer of the 16th instant and following, he acquainted me with all the difficulties he met with to have the conspirators tried, or put on shore ; of having the Frigate admitted in the port to be repaired, &c. and ordered me to repair the ship as soon as possible, but gave me no means whatever to do it. Mr. de Shwighauser, on the other hand, gave positive order to Mr. Cottentin, agent at Brest, to allow for the Alliance nothing else but the daily provision for the crew. I could not even obtain old canvas to serve the rigging with : though Dr. Franklin knew by all my letters, that I could not proceed to repair the ship, every means to do it being refused me, wrote to me to fit out the ship and to give a rendezvous to fifteen American vessels, richly laden with necessary articles for Congress, in order to convoy them home, which I could not do without having obtained means to repair the ship : he wanted me to ask him to go to Port l'Orient, I think, where was Capt. Jones, for he hinted it in one of his letters to me, saying, "*You and Mr. Shwighauser must judge whether they are best done, (speaking of the foreword's iron plates) at Port l'Orient. I mentioned the latter place only because I know they often fit large Indiamen there.*" In the whole it appears that his Excellency B. Franklin Esq; never intended that the Alliance should convoy the American vessels to America, but from the beginning contrived it so, as to detain her until those vessels were failed, to join her with Capt. Jones's ship, which was fitting out at l'Orient, and that he played as well upon the Honourable John Adams Esq; as upon others, as may be seen by the following certificate and by the sequel, viz.

" *THESE may certify, that on the eighth of March, 1779, I sat off from Paris to Nantes, expecting to meet the Alliance Frigate, and go in her to America. When arrived at Nantes, I learned from the American agent, that the Alliance was still at Brest, and by Capt. Landais' letter it was uncertain how long she would remain there ; upon which I determined to take a journey to Brest, to assist, if I could, in expediting her.—Upon my arrival, there were thirty-eight prisoners on board, charged with having been concerned in a mutiny, or conspiracy, in the passage from Boston, whom Capt. Landais had not been able to obtain permission to put them on shore, which he thought necessary to be done before he could go to sea with safety.*

" *The Frigate wanted stores and repairs, which he could not obtain until some one would become responsible for the pay for them, which Mr. Cottentin declined doing until he had orders from the American Minister at Court, or the American Agent at Nantes : that Mr. Cottentin on my arrival, told me he had just received orders from Mr. Shwighauser to take my advice, which he took accordingly, and engaged for what was wanted. And after an application from me and Capt. Landais, to the Intendent, and afterwards from me in writing, the prisoners were permitted to be sent on shore, and the stores and repairs were provided. Certified at the request of Capt. Landais, at Paris, the eighth of March, 1780.*

(Copy signed)

B 2

" JOHN ADAMS."

I

I had wrote to his Excellency Benjamin Franklin, Esq; that there was left on board the Alliance but 150 men in all, among which were at least forty-odd of the conspirators ; and three-quarters of the rest of the seamen were Englishmen born. He wrote in answer, he was concerned I had so few men, but nothing was done to procure me any ; which might have been done easily, as he knew that there was a cartel-ship with Americans coming from prison, expected at Nantes.

I received a letter from Mr. Shwighauser, who advised me that an English cartel-ship was arrived in Nantes' river, with ninety Americans on board, and ordered me to take on board the Alliance, same number English prisoners from the guard-ship, and carry them to Nantes.

Whilst in the road of Brest, the officers behaved worse than ever ; they went on shore when they pleased, without acquainting me with it, knowing that I durst not put one under an arrest, as they would all go : the Master was as bad as them. I told him three days running to have the hawse cleared, he never would do it ; and asked me his discharge. Being ready to fail, the Surgeon, with the advice of the First-Lieutenant, took the ship's cutter, with seven men in her, and was three days absent, I not knowing what was become of her ; at last she came, I took the English prisoners on board, and sailed out of Brest for Nantes on the 11th of April.—When we were, on the 18th instant, outside of the entry of the river of Nantes, the officers told me we were going upon a bank of sand ; that the French coasting pilot did not know the entry of the river : some told me they had been there the year before, that the channel was to the West of the rock called *Grand Charpentier*, and wanted me to go that way ; but I brought to and waited for a pilot-boat of the river for a pilot, who said the other pilot was right, and if I had gone the way the officers would have me gone, the Frigate would soon have been lost. The new pilot told me to have all possible sail set ; the Master being gone upon deck on pretence to see that the cables were clear, I told the Second-Lieutenant, who was on watch, to have all sail set ; he put down the speaking-trumpet, laughed at me, and said he would not, as there was a pilot on board, I ordered the two other Lieutenants, one after the other, to have the sails set, but they would not order it ; I took the speaking-trumpet, being very nigh the rocks, and we got safe, against my officers wishes, up the river as far as Menden, where we came at anchor before night.

During our passage from Brest to Nantes, the Surgeon came to tell me that the First-Lieutenant and the Captain of Marines, propagated in the ward-room, before every body, that when we were there, the Captain of the harbour had told them I was a peasant, and he wondered how Congress had entrusted me with the command of the Alliance, &c. When we were at Nantes, I made the Surgeon rehearse the same before the Hon. John Adams, Esq; and wrote a letter to Mr. de Thevenard, at l'Orient, who was Captain of the harbour at Brest when we were there (but had been promoted since, and made commander of the harbour of l'Orient, where he has been ever since) and told him of the report spread on board the Alliance as coming from him, which I did not believe ; however, I begged of him, as a favour, to write me an answer on that subject, which he did, in an open letter, inclosed in another to the Hon. John Adams, Esq; viz.

“ *l'Orient, April 23d, 1779.*

“ *HERE is inclosed, Sir, and antient friend, the testimony dictated by my sentiments for you. Every body knows that one ought not to give that title to those he does not love nor esteem. If it was thus with me, I would not grant that title which you granted to me so many years since. This is worth*

worth a good assurance, and in the best form of my way of thinking, on your account, and of the attachment I have devoted to you ; with which, I am, Sir, and antient friend,

Your most humble and very obedient Servant, (Signed) A. THEVENARD.
 " P. S. This letter will be transmitted to you by Mr. John Adams, to whom I have directed it.

Mr. Thevenard had wrote one also on the same subject to the Hon. John Adams, Esq; which proved enough that his opinion on my account, did not agree with what the First-Lieutenant and Captain of Marines had reported he said of me : but had it been so, it would have proved their undutifulness and animosity in spreading a report which might come from an enemy.

Whilst in Nantes, Jonathan Williams, Esq; invited me to a splendid dinner at his house ; after which he took me aside and told me he had goods to send to America : as the Frigate Alliance was going there, he would be glad if I would let them be shipped in her ; and added, that it was not with a view to spare the freight, for he would pay it to me. I told him it was very generous in him, that in return I would show him my uninterestedness, in telling him to write to Dr. Franklin to send me an order to do it ; I would obey, with no other prospect than to oblige him : he said he did not chuse it. The next day after, his uncle John Williams told me the goods his nephew had desired me to take in the Alliance, were not his own property, but were a quantity of bolts of canvas belonging to the First-Lieutenant of the Alliance. It struck me, and I suspected at once it was a plan concerted to corrupt me, and after bring me guilty.

I had twenty of the Americans that came in the cartel-ship, which preferred forty livres advance to enlist on board the Alliance, rather than 120 livres for the Bon-homme Richard ; and I would have had every one had not the concerned in fitting out that ship had them enlisted before my arrival in Nantes' river.

His Excellency Benjamin Franklin, Esq; wrote me a letter, dated April 24, 1779, in which he said,

" The American ships which I proposed at first you should convoy to America, being all sailed, and the Alliance's return there seemed not necessary until she had made a cruise : with these views, my orders now are, that you proceed first to l' Orient, where you will receive your complement of men and such other things as may be necessary for your cruise, and where you will meet the farther orders I am preparing to send you."

The American ships were said to be at Aix-Island yet, waiting for a convoy, but sailed without any for America, and most of them were taken in their passage : they were not the only ones disappointed in their expectation, as the Hon. John Adams, Esq; had been some time on board the Alliance in hopes to go in her directly to America ; but by this change of destination, he saw that he had been play'd upon (as his Excellency had wrote to me two months before about his passage) and that the detention of the Alliance in Brest appeared to me to give time to the Bon-homme Richard to be fitted out, and make the American ships sail without the Alliance's convoy.

I received the following,

" S I R,

" April 25th, 1779.

" The bearer, Mr. Hezekiah Ford, who has for some time been in the service of the United States, and always a zealous friend of the cause of liberty, being about to return to America, if you can conveniently receive him in your ship as a passenger, when you return thither, you will oblige, Sir,

Your most obedient, most humble Servant,

(Signed)

" B. FRANKLIN."

The

The bearer, who was the person mentioned, was a sickly gentleman, who, in all appearance, could not live much longer, I was surpris'd, and could never imagine, his Excellency Benjamin Franklin, Esq's policy in causing that gentlemen, in the condition he was in, and giving him such an encouraging letter, to travel four hundred miles in a hurry, and at great cost, to come for his passage in the Alliance to America, meet her at Nantes, when he must know he had given me order the preceding day, he dated this last letter that made the Alliance's return to America very remote; when he could have gone to the American ships at Aix-Island.

Monday, May 10, 1779, the wind being fair, I sail'd from Nantes' river; in the afternoon the coasting pilot thought expedient, the wind being shifted to the West, to play the ship windward between Belisle-Island and the adjacent rocks to the Main: he told me to have all hands to work the ship, and to command myself, as he could not make himself be understood by the officers, which I did accordingly; but the Master being jealous to see me take the command, and to prevent me thereof, anticipated upon the proper time, by giving the word too soon in tacking about, to have main-sail hawled, by which means the ship mistaking, she was very nigh being lost upon the rocks: this he repeated several times; the pilot stamp'd with his foot on the deck, said that man would have the ship lost: being sensible of the danger thereof, to avoid it I told the pilot to give up the point, and to bear round about Belisle-Island, which we did. On the 11th instant we came at anchor at Groay Island, and on the 12th got into Port l'Orient.

Being on shore Mr. le Ray de Chamount transmitted me the following, viz.

“ S I R,

“ Passy, April 28th, 1779.

“ Being arriv'd at l'Orient, agreeable to the orders I sent you, when at Nantes, you are to join Capt. Jones, put yourself and ship under his command as your senior officer, proceed with him on the cruize he is about to make, and obey his orders, until your return to France. I heartily wish you success, both with regard to profit and honor, being with great esteem, Sir,

your most obedient, and most humble servant,

(Copy signed)

“ B. FRANKLIN.”

The Hon. John Adams, Esq; who had been on board the Alliance, always expecting that he would go to America in her, seeing those orders, appeared to be convinced he had been play'd upon all the while by His Excellency Benjamin Franklin, Esq; and being exasperated thereat, exclaimed very highly against him for his keeping that Frigate in Europe to fulfil his own views, when she was so much wanted in America, and had miss'd rendering so important a service in convoying the American ships there, by being detained when at Brest.

For my part, I had had reasons from his Excellency Benjamin Franklin, Esq; sufficient to decrease, in a great degree, the high opinion I had conceived for him; as when at Brest I had wrote to him a letter, stating how the gratuity of the twelve thousand livres promised to me by Silas Deane, Esq; assented to by him, for carrying the ship Flamm'd to America, had not been paid me there. But that, previous to my sailing from thence, I had wrote and begged, that Congress, being confirm'd by Silas Deane, Esq; how that sum was really due to me, would order it to be paid to me whilst in France, and that I expected he had received, or would soon receive, order to pay it to me. In his first answer he denied his being acquainted with that affair; but having wrote to him again particularly about that transaction, his Excellency wrote to me a second answer, by which he said, “ He doubted not Mr. Deane's communicating it to him,
and

and that he might have approved of it"—But it was his opinion, that whatever agreement said Deane made ought to be honorably complied with, and he made no doubt h Congress, when acquainted with the circumstances, would do what is just and proper ; by which I thought he remembered it as well as I did, but would not own it, in order to make as much delay as possible to that payment ; and what appears to confirm it is, that Congress, after Silas Deane, Esq; had been long and was still in Philadelphia, and had known my request to have that sum paid to me whilst in France, they resolved the 15th of March, 1779, that said sum should be paid me there, and that Dr. Franklin should be directed to pay it to me ; which he must have known before the end of May, 1779, either by letters, or the pamphlets containing Congress's resolves, transmitted to him, which he never owned to me, though I spoke several times to him about it, and stay'd in France until July, 1780, which may make one suspect that one of his inducements for keeping me there, and doing all he did after against me, was to prevent my coming to America, by which I would not learn said resolve, and he might keep that sum from me.

His Excellency's letter to me about Mr. Hezekiah Ford, corroborated, in my opinion, with his impolitical and improper dealing, which I have had too many proofs of as will appear.

As I wanted to convince the Hon. John Adams, Esq; more fully yet, that what the First-Lieutenant had said against my character was a calumny, I desired him to come before him, where I told him that, besides his undutifulness in all respects, it had been reported to me, that he had said things on board against me, which must be proved true or false, as there was a fair opportunity of knowing which of the two, and in consequence thereof, went with him before the Commander, and asked the Lieutenant whether he knew the Commander, he said no ; and the Commander said he had never seen the man. I explained to the Lieutenant that it was that gentleman whose name was Mr. Thevenard, who was the Captain of the harbour of Brest when we were there, which he had said told him things against my character.

I don't know what encouragement Capt. Jones gave to the officers of the Alliance, but he entertained them daily, and their undutifulness encreased instantly. The ship called the Bon-homme Richard, which he was fitting out, was but a very precarious command, as the concerned in her might every moment change her destination, or Captain : but the Alliance was a fine and pretty good Frigate, which he could not despise the command of, and which was worth some of his attention ; and he had kept a correspondence, I was told since she arrived first in France, with the Captain of Marines on board, who he had had made an officer some time before in the American navy, and which I always suspected, to promote Capt. Jones's interest amongst my officers to my prejudice.

On the other hand, a Lieutenant in the American navy, who had known Capt. Jones in America, and had been under his orders, gave me a very bad character of him : having learned this, seeing my officers undutifulness increasing, and their inventions against my character, which might be augmented and supported by Capt. Jones, if he thought it necessary to come to his end ; having not a man on board upon whose veracity I could depend ; having already proofs of the ways of dealing of his Excellency Benjamin Franklin, Esq; the only one I could apply to for redress.

Having well considered on my dreadful position, I foresaw that, one day or other, I must be sacrificed, either to the old plan and jealousy of my officers, which would not spare the loss of the Frigate to satiate their animosity against me : to the ambition of Capt. Jones, to have the command of the Frigate Alliance ; or to the views and interest of his Excellency : and that it was impossible for me alone to do any great things for the service, having the undutifulness of the first always ready, by their disobedience and opposition, to make all my plans
and

and orders miscarry. The second who might give me ambiguous orders by which he might appropriate to himself the success, and charge me with the misfortunes which might happen : and the third who might refuse me justice. On the other hand, though I had spent already a great deal of money since I was in the American service, I would have consented to lose it, and the sum due to me to get clear, with honor, of the command of the Alliance : but I could not in a foreign country leave her, after Congress had been so generous to intrust her to my care, without proper documents from his Excellency Benjamin Franklin, Esq; to justify my necessary resignation and retreat from her.

In consequence I wrote (the copy has been lost or took from my papers) as much as I can remember, for the first and only time to his Excellency B. Franklin Esq; about the Alliance's officers undutifulness, that a Captain cannot do every thing by himself, but must have officers willing to, and that see his orders executed ; otherwise soon or late he must miscarry : if those who are to obey him do exert their animosity against him, in destroying all subordination by which a Frigate may be every moment in danger to be lost, &c. that I had rather seen another Captain named commander of the Alliance, than to expose her any more, and my honor, with those that spared nothing to destroy both, in order to hurt me : that I was conscious of the honor Congress had bestowed on me in giving me the command of the Frigate Alliance ; and nothing but her safety, and my loag suffering, and anxiety on board of her, by the misconduct of the officers, could have induced me to write him this.

“ His Excellency B. Franklin Esq's answer of May 19th 1779, was that he was exceedingly afflicted of that I had wrote to him about the officers, that at the distance he was, he could but leave the matter to Commodore Jones, whose authority, with the aid of Court-Martial, if necessary, would be sufficient to compose these dissensions.

Though I was warn'd against Capt. Jones's character, by all I heard said of him, either by American and English gentlemen, and had been told he wanted to secure the command of the Alliance to himself : I thought necessary to have some change in my situation, and in consequence I applied to him for a Court-Martial, to judge between my officers and me. But either by Captain Jones's councils to the officers, or by the officers consciousness of guilt, they refused, he told me, to submit to that Court, because there were three French Captains who would set in it, and they would not be judged by Frenchmen. I told him, that if he could form one, of all Americans, I would submit to it ; he gave me no answer, and I thought no more about it.

Better than a week after, being on shore on the ship's business, Captain Jones called me in from Jonathan Williams Esq's chamber-windows, I went in ; he acquainted me then for the first time, that he had selected five American gentlemen ; of which number was Mr. Williams, and that they were to meet together in half an hour's time, to hear and judge the difference between me, and my officers. I asked Captain Jones whether he had acquainted the officers thereof, and who were those five gentlemen, and if they approved of his choice, he said yes : I told him, I was surprised that he had never let me know before that such things was to be done, though he had advised and consulted my officers about it, that I saw his plan, however I would submit to it, and go there in half an hour, but I must see some body first ; and went away directly to acquaint Mr. le Ray de Chaumont, who was the French and American Minister's agent, to whom I related what passed ; he looked very indisposed against this plan, and hinted that if such tricks as taking the Alliance from me took place, I would have the command of the Bon-homme Richard given to me ; I was going out to see some body else when I met Captain Jones in the street, who told me that that Court should not take place, and asked me

I knew Captain Robinson of South-Carolina, that he had wrote to him to come from Nantes, and could be in two days arrived, and would set in the Court as President. I said I did not care who should sit as President; but as there were thirty American gentlemen then in l'Orient, I requested they would be all invited to come in the Court, and that every one who would might be admitted to sit as a member of said Court.

Capt. Jones appointed a day for the Court (styled Court of Honor) to meet on board the Alliance. He submitted the list of the members to the officers: I don't know whether they objected against any one; but there were but seventeen sitting, among which Capt. Robinson President; (I was told after) had the promise of Capt. Jones to have the command of the Alliance, Mr. Williams, Judge-Advocate, a man devoted to Capt. Jones, and Mr. Amiel, the First-Lieutenant of the Bon-homme Richard, who was another who had very likely some promise of Capt. Jones, for helping to take the command from me; all the rest were very impartial, I think, being mostly of Boston.

The officers first charge against me was, that I preferred Mr. Blodget's company to theirs: I said I did, because he behaved always with civility to me, and they never did.

The First-Lieutenant said I never ordered in the storm we had four days after sailing from Boston, to have the guns howled in; I answered to the contrary, I ordered six tons of pig-iron ballast to be took from out the hold and put between decks, because she rolled too hard windward, and it would have been worse had the guns been howled in.

The First-Lieutenant said that, whilst at Brest, I had never ordered the exercise of the great guns to be done: I said they had orders to exercise the great guns; and the Captain of Marines to exercise the Marines when ever the weather and the ship's business permitted; and sent in the ward-room for their book of orders, and showed to the Court it was the first order in it.

The Captain of Marines said I had never introduced any one of them in French company: I said that I had not, because I thought the company they kept and those I used to see, were quite different.

The Second-Lieutenant said I slighted my officers, and showing his left-hand, added he had lost two of his fingers in the American service: I answered that I would have never slighted my officers had they not forgot they were such; that it was unfortunate to have lost two fingers, but it gave no right to undutifulness.

Then I related their undutifulness in the entry of the river of Nantes: they denied the fact, and produced a witness, but he declared it was as I had said; by which evidence they appeared too guilty, and the Court said they were not competent judges, as such undutifulness required the immediate jurisdiction of a Court-Martial.

An American gentleman came from Nantes to l'Orient, having heard of the plan going on against me, and that Capt. Jones wanted to take the Alliance from me, which he had promised to Capt. Robinson, who was prevented to sit any longer in the Court by him. I gave no other charges against the officers, as the Court had said they were not competent judges; and I would have forgot all, if the officers would have promised to be dutiful: but Capt. Robinson being prevented sitting in the Court, put an end to it. Capt. Jones, being disappointed, never gave me the judgment of the Court; but I have had it since—it is as follows.

“ In compliance with your request, contained in your letter of the tenth instant, directed to A. Robinson, &c. desiring them to meet on board the Alliance the next morning, there to form themselves into a Court of Honor, to hear and note the rise, progress, and present situation of the disunion that unhappily exists

exists between Capt. Landais and his officers Lieutenants ——— and ——— ; and that the public might not suffer, to give your opinion in writing on the merits of the dispute.

" We the under-written, have accordingly met, heard the parties, and maturely considered their complaints : we apprehend the rise of the difference to be at the place where the ship was built ; the progress of it has been gradually till their arrival at Brest, and from that time very rapid.

" We think further, that the present situation of it is such as is out of our power to reconcile.

" We have exerted the best of our endeavours to bring about an accommodation, and have severally questioned the parties relative to their dispositions : in this request, the Captain in answer said, he was amicably disposed ; both Lieutenants said they were not, because they thought it impossible : and we give it as our opinion that they, the said Lieutenants ——— and ——— have not sufficient cause of complaint against their commander Capt. Landais, to justify this present discontent.

" We have the honor to be,

(Copy signed)

John Brown,

Isaac Cagneau,

Tilly Merrick,

Peter Amiel,

Jona. Nesbitt,

Jona. Williams,

Rich. Dale,

James Coming,

Sam. Bradford,

John Young,

Dun. Ingraham, jun.

Jona. Williams, jun.

" To the Hon. J. P. Jones, Commander of the American Squadron.

" L'Orient, 19th June, 1779."

By the above it appears that said Court judged the Lieutenants had no real cause of complaint against me : but the Court don't say that I had not sufficient reason of complaint against these Lieutenants ; and are silent on that account, because they were not competent judges of the first charge and the only one (being stopped by the Court) I charged the Lieutenants of.

Captain Jones being disappointed by the above judgment (of which he never spoke to me) affected to show me more confidence than ever : he wanted me to make the book of signals, but I told him I could not, as I was compelled to go on shore for the least thing wanted, having no body in the ship who could speak French but myself ; and the service on board required my presence all the time I was not busy on shore : however Capt. Cottineau of the Pallas made said book of signals and had it printed for him.

A few days before we were ready to sail, it was reported to me, that the First-Lieutenant had all the bolts of canvas heretofore mentioned, on board ; and that they had been there ever since the ship's cutter had been away from the ship in Brest three days, and brought them on board, when at Brest ; I sent for him, and told him I could not suffer them to remain in the ship, having orders to the contrary, and to make him mind what I said, I told him if I found them in the ship, I would have them thrown overboard ; and I went on shore on purpose to give him an opportunity to take them out of the ship ; which he did, and he with the Second-Lieutenant went away and never returned on board the ship again : the reader must consider, by the by, had I granted Jonathan Williams, Esq; to have those goods on board, or his uncle John Williams that the First-Lieutenant might have them on board, it would have been brought in by the court, against me, by which the ship would have been taken from me.

Capt. Jones perceiving that Lieutenant Brown of the Navy and Mr. Amiel the two First-Lieutenants of the Bon-homme Richard, Mr. Dick, the Capt. of Marines, would not stoop to be his tools to all intents and purposes, found out some way or other to discharge them, and replaced others whose delicacy would never cause them to be discharged by Capt. Jones. On the 17th of June, 1779, the Bon-homme Richard, Alliance, Pallas, Vengeance, and Cutter Cerf, sailed out of port L'Orient to Grozy-Island : and on the 19th instant we sailed from thence all together

ther with a number of vessels under our convoy, which were going to Rochefort, Bourdeaux, &c. At seven o'clock, P. M. all the fleet hove to on the larboard tack (the isle Dieu bore from S. E. by E. to S. E. by S. of us) under the three top-sails, settled on the caps with the main and mizen-top-sails back'd. At midnight, going upon the quarter-deck, I met Lieutenant Degge, who was then the First-Lieutenant (the Master, named Mr. Buckley, and a Midshipman called Lynd, acted both as Second and Third-Lieutenants) who told me that the Bon-homme Richard and the Pallas were both pretty nigh, one by our weather-bow, the other by the lee, and that we were about the middle of the fleet. As soon as I was on the quarter-deck I perceived the windward ship, which was about three cable's length in the wind's eye of us, bearing away without any signal whatever; thinking her to be the Pallas, I hailed her in French, and told her she would come and board us if they did not take care; but by the confused voices I heard on board of her, I soon knew her to be the Bon-homme Richard; I ordered the helm a-weather, to sheave the after sails, hoist up the fore-top-sail, and run up the gibb; at the same instant, not conceiving that the Bon-homme Richard would wear ship in the night, and in the middle of a fleet, brought to, without making a signal therefor first, and knowing most of her crew was composed of English seamen, took out of the prisons, which had already mutinied in the port of l'Orient, and very likely would not miss a fair opportunity, if they found it, to get masters of that ship: I imagined they had done it, as I heard them cry and scream all together as if they had been murdering one another; and thinking they were coming to board us on purpose, I ask'd Capt. Park whether he had the key of the arm-chest, he said no; in that very moment when the Alliance began to move a-head, but not enough to answer her helm, the Bon-homme Richard boarded her windward on our larboard side just off the main shrouds, carried away our mizen-mast, driver boom; cut our quarter down to the deck; broke the mizen-chain's plate, the quarter-gallery, &c. &c. Seeing all the men upon the fore-castle and bowsprit of the Bon-homme Richard, and being still persuaded they were going to jump on board, I stepped in the cabin and asked a negro for my pistols, who told me they were lock'd up in one of my trunks; I went up again and ordered to cut any of the Bon-homme Richard or Alliance's rigging which kept the two ships fast together, which being done we went ahead and got clear. The next morning I had a mizen sail rigged properly instead of a snow sail, and at ten o'clock, A. M. the Alliance was reduced to a snow, sailed and worked thus very well.

At noon I went on board the Bon-homme Richard, and told Capt. Jones that I had never heard before of a ship wearing in the middle of a fleet in the night, without making signal therefor; and that I was so far from thinking it, that I ascribed that manœuvre to a mutiny from the English on board his ship: he replied, that the Bon-homme Richard had much suffered, as all her head and cut-water had been carried away, and her bowsprit was sprung, &c. thereby.

The vessels under our convoy went into Rochefort and Bourdeaux on the 21st instant, and we kept cruising going westward.

On the 22d instant, at four o'clock, P. M. the Pallas being three miles ahead of the Bon-homme Richard, and in chase after a Spanish brig, we saw three sails which appeared of force, bearing S. E. by E. of us, which bore at first for us, the Bon-homme Richard made a signal at her mizen-yard for the Pallas to rally, which signal she could not see, being right ahead of the Bon-homme Richard; this ship made me a signal to send all my gunners on board of her; I saw 'twas a mistake, and went to speak to the Bon-homme Richard, which told me to sail ahead and make the signal for the Pallas to tack about; I did, and we all took the starboard tack under all sail; the three ships in sight took the same tack, and as I out-failed those of our fleet, I went within three miles of those three ships and knew them to be French Frigates. In

the dusk of the evening the Bon-homme Richard having made me a signal to rally, I bore away and joined her about eight o'clock.

On the 26th inst. by want of signal made on board the Bon-homme Richard during the night, the Alliance and Pallas lost sight of her and kept company together.—On the 28th inst. fell in with a brig under English colours, made her come to; she proved to be called the Three Friends belonging to Dublin, bound there from Bordeaux, loaded with wine and brandy, having French and English papers dated 1778, but none from the American Minister in France, for which reason I thought it my duty to carry her in to be examined. The Alliance, Pallas and Three Friends arrived on the 2d of July at Groais-Island, where we found the Bon-homme Richard and brig Vengeance; but the Cerf was in l'Orient. I went on board the Bon-homme Richard and submitted to Capt. Jones's perusal the brig Three Friend's papers, and gave him this in writing, viz.

“Honorable S I R,

“ON the 27th ultimo I fell in with the brigantine Three Friends, Edward Roach master, laden with wine and brandy, bound from Bordeaux to Dublin, on account and risk of Robert Foster, merchant, in the city of Dublin. We examined her papers which are inclosed, among them are an old French and one English pass. Even supposing this to be true, she having none from Dr. Franklin, or to protect her from the United States, I thought it prudent to stop her for the judgment of Dr. Franklin, and have accordingly brought her and desire you will please to peruse the papers and send me your opinion as soon as convenient.

“I have the honor to be, with great respect,

“Honourable S I R,

Your most, &c.

“PETER LANDAIS.”

“Ship Alliance, off Groais, July 2d, 1779.

He made me the following answer, viz.

“Ship Bon-homme Richard, at anchor off Groais.

“Dear S I R,

“I have examined the papers of the Irish brigantine Three Friends which you have stopped on her way from Bordeaux to Dublin, laden with wine and brandy, which appears also Irish property.

“As it is not even requested by the French pass-port that Americans should suffer the vessel to pass, and as the pass-port appears to be some what out of date, since you found no American pass-port on board, I think you have acted very right; and I also think the vessel cannot be discharged until the pleasure of Dr. Franklin is in that respect made known to us, therefore the best way will be to send her into l'Orient with a good pilot, to remain under the care of Messrs Gourlade and Moylon.

“I have the honor to be, with much regard, dear Sir,

Your very, &c.

(Copy Signed)

“JOHN P. JONES..

“Peter Landais, Esq; Captain in the American Navy.”

I had her into l'Orient delivered to Messrs Gourlade and Moylon, took their and Mr. Le Ray de Chaumont's certificate how I had put her under their care. And I wrote to his Excellency B. Franklin, Esq; on my arrival about her.

As soon as the Alliance was at l'Orient I ordered her carpenters to make a mizen-mast, yards, &c. &c. and repair all the damage she had suffered on the 19th ultimo, as fast as possible.—On the 4th instant whilst I was on shore, a high S. W. wind and tide made the Alliance anchors labour

labour, she drove and went a ground. I went on board and had her lower yards and top-masts struck, and the ship shored up with yards, booms, top-gallant-masts, &c. When the tide came up again we had her off without any damage to appearance, but as she had been on an uneven and rocky ground and was very foul, I thought it prudent to have her careened, her bottom cleaned and repair the damages if there was any; and though I was no longer under Capt. Jones's orders by those I had from His Excellency B. Franklin, Esq; I asked his advice, which was to have it done. I went in on the 7th inst. and had her careened accordingly, and went out of the harbour on the 20th.

Capt. Cottineau of the *Pallas*, on our arrival at Groais had wrote to Mr. Le Ray de Chaumont, that Capt. Jones was incapable of commanding a fleet what ever, and that the accident which had happened on board the *Bon-homme Richard* and *Alliance*, and the separation was owing to want of signals being made on board the *Bon-homme Richard*, &c. &c. Mr. Le Ray de Chaumont had told it to somebody else, and Capt. Jones had been made acquainted with it; and he thirsted for vengeance against Mr. Cottineau: One day being on board the *Bon-homme Richard* he flattered me much and paid me great compliment on the expedition I had made in having the *Alliance* careened in so short a time with no other help but her crew; after thinking that he had footed me enough he asked me what I thought of Capt. Cottineau; I told him I thought well of him: Capt. Jones told me somebody had wrote to Paris against him, and asked me whether I thought he had done his duty during the cruise we had made, I answered I had not wrote to Paris at all; seeing that I did not answer his purpose he asked me, on the 22d ultimo when we saw three sails, did we not chase them as soon as Capt. Cottineau was rallied, I said we had; but said he, did not Capt. Cottineau, before we chased, run away under all his sails set, though I made him a signal to rally, and would not come until you went and made him the same signal, and don't you think he ought to be tried for it; I told him I could not call what Capt. Cottineau did then running away, as in the usual sailing march he was to be the head most ship, where he was; seeing a Spanish brig ahead of him he pressed sail after her to know who she was, and of course he got more distance ahead than usual, and when we saw the three ships, and the *Bon-homme Richard* made the signal at her mizen yard the *Pallas* was in a position where from she could not perceive it; but she had rallied as soon as she had perceived the same signal repeated on board the *Alliance*: Seeing that he could not make a party man and a tool of me, he could hold his anger no longer and gave vent to it stamping on the cabin floor, and said that it was Mr. Cottineau had wrote to Mr. Le Ray de Chaumont against him, who had shown the letter to the French Minister, and added that Capt. Cottineau thought he knew more than others, because he had made the book of signals, which he could have made himself; however he durst never speak to Capt. Cottineau about it, nor bring him before a Court-Martial for his pretended running away.—After a while he appeared calm and told me he was going to order a Court-Martial to try a party of his crew who had made a plot to get masters of the ship, in order to carry her to the enemies.

Capt. Jones accordingly appointed a Court-Martial, and we sat and tried a number of his people; and as I sat as President, I went to acquaint him several times that the man or men tried were acquitted; at which he always look'd angry, and several times said we would acquit them all. The last one who was tried when I sat in the Court was a Jerseyman, who was convicted to have said to other Englishmen that he wished to meet with an English 74 man-of-war, because the *Bon-homme Richard* would be taken without fighting, and he should go to his country and see his family; the Court agreed that such words were very licentious and dangerous to be spread among such a crew, and that the man deserved to be punished for an example,

not

not with death, but with lashes ; and that all the members should give by ballot (that is by writing the number of lashes the criminal was to receive upon a billet, and that the sum should be divided by the number of the members sitting) the number thereof they thought he deserved to receive to punish him and make an example : accordingly, every one having given me their ticket, Capt. Cottineau, who sat at my right, helped to open them, found in one of them wrote *hung*, he showed it to me ; I asked who could write that after the Court had agreed that the man tried deserved nothing but lashes ; every one disowned having wrote the billet where it was wrote *hung*. I told that every one must take again their own ticket ; we did, so the ticket on which was wrote *hung* was left on the table, and one of the members without ticket, which proved him to be the owner thereof (he was one that I have mentioned heretofore, which Capt. Jones had recruited to reimplace the officers he had discharged.) Several of the Court exclaimed at him ; he being confused, said that Capt. Jones wanted the man to be hung, and took his ticket and wrote upon another five hundred lashes ; the Court exclaimed at him again, saying they were not assembled there to do Capt. Jones's will, but they were to do justice, and his billet was not at all received. I went and carried the sentence passed to Capt. Jones, and told him of that officer saying that he, Capt. Jones, wanted to have the man hung : Capt. Jones replied, that if he had sat upon the Court he would have cross-questioned the culprit in such manner that he would have proved more guilty, and made an example of. I told him I had no such art, and would never give my vote against a man without I knew, by impartial evidences, that the man tried was guilty, and would judge then, in my own conscience, of the punishment. Capt. Jones told me I could sit no longer in the Court, as it was to try who was guilty for the Bon-homme Richard and the Alliance boarding one another on the 19th ultimo. Being one of the party, I thought he meant that, having been the sufferer by being the Captain of the Alliance which had been boarded, I could not sit for fear of partiality ; I said very well.

The next day following a Court sat, I was sent for there and told, that it was reported 'twas the Alliance which had boarded the Bon-homme Richard ; in a minute's time I demonstrated that all the fleet was brought to on the larboard tack, the Bon-homme Richard lying in the wind's eye of the Alliance, consequently that the Alliance being brought to could not go in the wind's eye to board the Bon-homme Richard there ; but on the contrary the Bon-homme Richard wearing, without showing any signal, had boarded the Alliance, tho' I had ordered the helm a-weather, &c. but that the Alliance not answering her helm, having no head way, could not avoid it ; and though Capt. Jones had very likely a strong party in that Court, they told me that it was enough, and I went about my business.

But Capt. Jones not being able to put his fault, in that respect, upon me, looked for another victim to lay it upon, in order to clear himself before those in Paris who had been told of his inability in that instance : his First-Lieutenant, who was called Capt. Robson, of New-London, (I was told) who was very sick upon his bed at l'Orient, was pitched upon ; and though I never heard that Capt. Jones had ordered a signal to be made (by which he was the only guilty) tho' all the Bon-homme Richard's Quarter-master, who steered the ship, were Englishmen known to be ill-minded, and may have designedly or by mistake boarded the Alliance, though it was morally impossible in the night for Lieutenant Robson to wear such a ship as the Bon-homme Richard, in the middle of a fleet brought to, which went, some astern, others ahead, without boarding one or the other : not being in a condition to make his defence, he was condemned as appears by some influence in the Court, to be suspended for a year and sentence passed therefor.

Capt.

Capt. Jones fearing that Lieutenant Robson after being recovered, being an American, would, before the twelve months of suspensions were expired or after, speak with other officers better acquainted with the rule of service than he was, who would advise him how and who to apply for redress for the injustice he had received, and at same time might have showed that all the fault was Capt. Jones's; he, Capt. Jones, imagined to have Lieutenant Robson broke and rendered incapable of serving his country, by which he should be deprived of any intercourse with the Navy-Officers and would be forgotten as being really guilty: according to his views he spoke to me of it and told me the sentence given by the Court against Lieutenant Robson was inconsistent with the fault committed, as if he was faulty, being a middling-age man, after having been so long a sea-faring man, it could be expected growing old he would lose rather than gain the knowledge of working a ship, and never become a good officer, of consequence he would always be incapable of being a Lieutenant in the service, and of course he was going to have a Court appointed to annihilate the former sentence and have Lieutenant Robson rendered incapable of serving in the American Navy: I told him that I thought also the former sentence was inconsistent and unjust as I thought Lieutenant Robson guiltless, thinking 'twas unavoidable for him to board one ship or another in such circumstances; but supposing him ever so guilty, since the Court-Martial had passed a sentence, they could not revoke it and make another, by which the punishment would be aggravated, and that no power in America could do it; he said he would have it done.

Capt. Jones had accordingly the day after a Court appointed, and went in it himself, and by his influence there and some of his specious reasons, had the former sentence broke and a new one passed, by which Lieutenant Robson was broke and rendered incapable to serve his country (as was reported to me by the Alliance's officers sitting there) a deed that none but an arbitrary power could effect; and Lieutenant Robson was inhumanly left sick without being paid his wages, compelled to receive alms, and now perhaps is bewailing his misery with his family, in some corner of America, his undeserved disgrace and appearance of dishonour, though he was innocent.

The Surgeon of the Alliance imparted to me the news he had from America, viz. that the Captains of the Warren and that of the Queen of France, both United States' men-of-war had severally received orders in Boston to go together upon a cruize, and to carry the vessels they could take into one the Southern States' harbour, but that they had brought them in Boston, wherefore both Captains was suspended, the senior one for going there against his orders and the minor for following his Commodore against his orders, by which I learned that a Captain was not to follow a senior officer when he had his own orders given to him to the contrary, and that he was to go absolutely to the place directed to.

Pursuant literally to the orders I had had from his Excellency B. Franklin, Esq; dated April 28, 1779, I had joined Capt. Jones and had been under his orders cruising, &c. until the 2d July following, when we returned and anchored in France, therefore they were fulfilled.

Mr. Le Ray de Chaumont who was the French and American Agent, and very likely one of the concerned, for sitting out as well the Alliance as the Bon-homme Richard and others, on his arrival from Paris to l'Orient delivered to me the following order from his Excellency B. Franklin, Esq; dated

“ *Passy, July 28, 1779.*

“ *S I R,*

“ *In case the circumstances of the Bon-homme Richard should make a delay in her sailing necessary, of which Mr. de Chaumont will inform you, I do hereby direct that you proceed to the North Seas by*
such

such route as you shall judge most proper, and cruize there 'till the end of September, in such parts as are most convenient for intercepting the Northern trade to England; after which, you are to go into the Texel and there wait for further orders.

"With great esteem, and great confidence in your abilities, zeal and activity, I have the honor to be, Sir, your most obedient, most humble servant,

(Signed)

"B. FRANKLIN.

"Hon. Capt. Landais, at l'Orient."

By which order, wherein is not mentioned or hinted, that if I failed with Capt. Jones I should be under his orders, I should be in the same case with him, supposing him to command an American man-of-war, as was the Captain of the Queen of France with the Captain of the Warren, mentioned heretofore, and of course to follow only his Excellency Benjamin Franklin, Esq's last order to me, which coincided with his former order, dated April 28th, 1779, that I should remain under Capt. Jones's order 'till my return to France, which had been executed.

Considering further, that I was directed by the above order to take information what to do, from Mr. de Chaumont, and being afraid of being ensnared by double-meaning orders, I went to him as will appear by his letter to me on that subject; which being translated in English, is as follows:

"S I R,

"Passy, Jan. 24, 1780.

"I received the letter you honored me with on the 18th instant. I recollect very well, having told you at Dr. Franklin's that you told me at l'Orient, that by the contents of the orders which I had brought to you, you were not under the orders of Capt. Jones; whereupon I answered, you ought to ask of said Sir Jones a copy of his; it is not my fault if he did not give it to you, he should have done it as I had desired him. I recollect also, that I said, at the same time, to Mr. Lee and Dr. Franklin, that the uncertainty whether the Bon-homme Richard, by the want of a sufficient crew, and by the quality of it, could go to sea to accomplish her mission, had prevented me to be able to give any advice about the projected expedition; besides, your Frigate being purely American, and Capt. Jones very jealous of his power, I kept within bounds in warning the commanders of the French Frigates what they should do in case of separation, as nothing was more uncertain than the sailing of the Bon-homme Richard since she received a supply in her crew at the moment of sailing, and that her muster-list was never clear.

"I have the honor to be, perfectly, Sir, your most humble, most obedient servant,

(Signed)

"Le Ray de Chaumont.

"Mr. Landais, Captain in the United States Navy."

According to the direction given to me by Mr. Le Ray de Chaumont, I went to see Capt. Jones, and asked of him a copy of Dr. Franklin's orders to him relative to the Alliance; he gave me the following extract of his orders, viz.

"Extract from the orders given by his Excellency Doctor Franklin to the Hon. Capt. Jones, dated at Passy, June the 30th, 1779.

"Being arrived at Groais, you are to make the best of your way with the vessels under your command, &c.

"The prizes you may make, send to Dunkirk, Ostend, or Bergin, in Norway, according to your proximity to either of those ports. Address them to the persons Mr. de Chaumont shall indicate to you.

A true copy,

(Signed)

"JOHN P. JONES."

Seeing

Seeing nothing in the above extract that mentioned either the Alliance's or my name, and that by the order to me from his Excellency Benjamin Franklin, Esq; dated April 28th, I was not under Capt. Jones's orders when he received it : and that by those I had received July 28th, I was ordered to sail. Having spoke, as directed by his Excellency Benjamin Franklin, Esq; to Mr. Chaumont, I told Capt. Jones I would sail out as soon as the wind would permit ; he said he expected to be ready soon also ; but I knew he expected men from Nantes, and no body knew when they could come, or whether they were, to come at all.

August 8th, the wind being fair, and the harbour pilot on board, I got under sail in the Alliance at nine o'clock, A. M. and at one P. M. came at anchor under Isle of Groais.

Capt. Jones seeing I was gone at Groais-Island, made all expedition and came the next day there, where being detained by contrary weather, he had time to prepare for sea : he told me confidently, that Commodore Johnston was with several men-of-war cruizing in the North Sea, and that he was going there as well as I ; I thought it was rather advantageous, since he was then ready, to sail together ; and that it was better, in case we would make any prize, being together to make an agreement thereabout, as not being tied to one another by my orders ; in consequence thereof an agreement was made in French, which translated in English is as follow, viz.

" Agreement between Messrs John Jones, Captain of the Bon-homme Richard, Peter Landais, Captain of the Alliance, Denis-Nicholas Cottineau, Capt. of the Pallas, Joseph Varage, Captain of the Cerf, and Philip-Nicholas Ricout, Capt. of the Vengeance, forming a squadron which will be commanded by the senior officer, and so successively in case of death or retreat.

" Every one of the said commanders, whilst they will not be parted from said squadron by the Minister's orders, shall do the service in consequence of the commission they have obtained of the United States, considering it is agreed to be under American colour or flag.

" The share of prizes to the officers and crews of said squadron, will be made according to the American regulations ; but it is agreed that the whole coming to each ship will be regulated by the French Navy's Minister and by the United States' Minister Plenipotentiary.

" It is also agreed, that the orders given by the French Navy's Minister and by the United States' Minister Plenipotentiary, shall be executed, considering the necessity to preserve the interest of every one. The prizes which may be made will be delivered to the orders of Mr. Le Ray de Chaumont, Intendant-Honorary of the Hotel of Invalids, at Paris, who has provided for the expences in fitting out said squadron.

" It has been agreed, that Mr. Le Ray de Chaumont be desired not to part with the share of prizes to come to the whole crews, or any one in particular belonging to said squadron, but in their favor (or behalf) and to be answerable therefor in his own name.

" Considering that said squadron has been formed to annoy the common enemies of France and of America, it has been agreed that the French and American armed vessels thought fit for the purpose, and will associate to it, will have their proportion in the prizes which may be taken, according to what the laws their nation allows them.

" In case any one of the abovesaid commanders of men-of-war should die, he will be succeeded by the senior officer next to him, unless he would prefer to remain on board his own ship, and yield the vacant command to the next senior officer to him.

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"It has been moreover agreed, that the command of the Cerf will be excepted of the last article of the present agreement, because, in case an unhappy event should befall to Mr. de Varage, he should be succeeded by his First-Lieutenant, and so successively by the other officers of his cutter the Cerf.

(Signed)

*"JOHN P. JONES.
P. LANDAIS,
D. COTTINEAU,
VARAGE,
P. RICOT."*

I signed the above agreement after having read it and found nothing contrary or derogatory to his Excellency Benjamin Franklin, Esq's orders, or the interest of any one officer or foremast man of the Alliance ; as in the first article it was just that the senior officer should have the command by preference to a junior one ; and that any one who was not directed by his Minister's orders to remain in said squadron, could, if he thought necessary, retire. In the second article it was likewise just to serve whilst in said squadron, in consequence of one seniority in the American navy, and under the American flag. In the third it was right to have the prizes shared according to the American law, and to submit to the two Ministers to regulate the share of each ship. By the fourth it was indispensable that any one who had private orders from his Minister should execute them, having no regard to part the squadron, if necessary to fulfil them : and Mr. Le Ray de Chaumont, being the real Agent of France and the United States, employed as such by the French and the United States' Ministers ; and had provided for the expences in fitting out the Alliance as well as other vessels, and to whose orders were to be directed the prizes. That by the fifth article he, Mr. Le Ray de Chaumont, should be desired to be answerable for the shares of the ship's company, in his own name, for those he directed the prizes to be sent to, as his Excellency Benjamin Franklin, Esq; who had made him Agent for the Alliance, must be answerable for him to Congress for the United States' share and the ship's company, if he failed, &c. The sixth article was very proper. The seventh very natural : And the eighth article I could have no objection to.

Being all ready, we sailed in the Alliance, Saturday, August 14, 1779, in company with the Bon-homme Richard, Pallas, Monsieur, brig Vengeance, brig Grenville, and cutter Cerf.

On the 19th instant, the Monsieur privateer chased and came up with a Dutch ship, which in her passage from Spain to Holland had been taken by a privateer belonging to Liverpool ; the Monsieur's Captain took on board some bales of silk goods out of her, which Capt. Jones pretended to have a right to have on board the Bon-homme Richard, which the Captain of the Monsieur did not think proper nor safe for him to do, and made him and the prize depart from our company.

The next morning wind pretty fresh-S. E. saw and signaled five sails in the wind's eye at a great distance, the Bon-homme Richard made a signal for the Alliance to chase, which we did after the largest ; at noon being upon contrary tacks and in her wake, about nine miles distance, we tacked about, but the wind lulling and shifting to the E. N. E. she bore two points windward at same distance ; we being then about four miles distance in the wind's eye of the Bon-homme Richard who made signal about two o'Clock, P. M. which we could not discern, the weather being hazy, and from our position, which I supposed to be for joining the Alliance to the fleet, as the sea was pretty rough and we could gain none hardly. However, not being certain of the signal, I kept chasing yet, imagining, from the beginning of the chase, that Captain

Jones

Jones would send the cutter *Cerf*, which was the fittest vessel to gain in the wind's eye to reconnoitre the chase, at least that he would order said cutter to get between the *Bon-homme Richard* and the *Alliance*, to repeat the signals, which was not done ; at four we gained very little upon the chase which was yet above seven miles distance in the wind's eye ; she made a lee lurch, we did the same to try to draw her to chase us, seeing it was impossible to come up with her, but she came close to the wind again ; the night coming on I bore away to join the fleet, which I did about 9 o'clock, P. M. and told Capt. Jones that the chase had appeared to be as large as a fifty gun ship or an East-India-man, but could not well judge what she was, the weather being very hazy.

We all kept close to the wind all night, and the next day saw the same large ship, and all together gave chase to her, but the sea being rough ahead, the *Bon-homme Richard* out sailed fast the *Alliance*, and was above two miles ahead of us, gaining very fast upon the chase, when a little brig called the *May-Flower*, from Limerick to London, loaded with beef and butter, struck her colour ; the *Bon-homme Richard* gave up the chase after the large ship, though he could have continued it, as he could have the brig manned by five men by the *Vengeance* which was astern of her. Capt. Jones kept all the fleet brought to from 5 o'clock, P. M. until 10, to man the prize and have potatoes, &c. brought from the prize on board his ship, at which the *Alliance's* crew grumbled much, saying that they ought to have their share thereof, and hinted it was my fault if they had not, however the prize was ordered to France, where she arrived safe.

On the 23d instant, at 1 o'clock, A. M. the *Pallas*, who had been out of sight, appeared by our weather beam, the *Bon-homme Richard* who was half a mile ahead of us, on same tack we were, fired several shots at her, tacked about without showing a signal for the fleet so to do, but after being tacked she hoisted at her mizen yard three lanthorns therefor, but having her mizen sheeted off, it prevented our seeing the signal at all, and the first thing we perceived was the *Bon-homme Richard* within two musket shots, upon contrary tack, coming right against us at the rate of six knots, and the *Alliance* as much, by which both ships would have sunk one another had they fully boarded ; but I ordered main-fail haul and let go and haul all at once, which was done in an instant, by which all our sails were upon the mast, and the *Bon-homme Richard's* quarter gallery passed within two feet of the *Alliance's* gib-boom ; Lieutenant Degge who was upon the *Alliance's* fore-castle was so exasperated at the bad and dangerous manner of the *Bon-homme Richard's* way working, that he told Capt. Jones he would sink along side of the *Bon-homme Richard* ; this I was told since.

At 8 o'clock, A. M. made the land, which we found to be Cape-Buff, in Ireland.

On the 24th instant, at 11 o'clock, A. M. the *Alliance* being a mile astern of the *Bon-homme Richard* we saw a sail bearing N. N. W. we shewed signal therefor, and fat all sails in order to chase her, the sea being very smooth ; at one o'clock, P. M. we passed along side of the *Bon-homme Richard* as if she had been at anchor ; she showed a signal for us to drop astern, we shortened sail and kept only the three top-fails on the caps, under which we sailed as fast as the *Bon-homme Richard* under all her sails, and were compelled to make a lee lurch to let her go ahead of us ; at half past three o'clock, when we might have been along side, or very nigh the chase, had Capt. Jones let the *Alliance* continue the chase, it grew quite calm ; the *Bon-homme Richard* sent her boats, with others, after the chase, which was yet above five miles distance, not knowing what force she might be, and could have took or sunk all the boats, being out of our power to support them at that distances ; besides on that coast where fogs are very frequent and sudden, it was very dangerous to send the boats thus ; but Capt. Jones having I suppose,

heard that my crew had grumbled against me, for having not had their shares of what had been taken out of the first prize, knew by doing the same again, it would increase their discontent, as it really did ; however, the chase not having a mucket on board, was taken, and proved to be an English brig loaded with fish-oil, from Newfoundland to England. But Capt. Jones paid dear with his men for having prevented my going to take her, as will appear hereafter. At noon the Skillocks bore S. E. $\frac{1}{2}$ E.

In the afternoon a signal was hoisted on board the Bon-homme Richard for all the Captains to go on board of her, which they did : being there, it was reported that there was a London privateer disarmed up in Limerick river, but there was always an excise armed sloop, besides there was an English 50 gun ship lying at anchor in Gallway bay, between the island and the main, where there was one good and safe passage to go to. It was moved which of the two was best to go after ; I answered, that as to go in Limerick river with the Alliance, or send there her boats, it was too dangerous, and inconsistent with the orders I had, consequently I would have no hands in it. As to the 50 gun ship, being on my way to go where I was ordered, as we were all together more than a match for her, besides the probability of surprising her, or engage her, whilst she laid at anchor, which would have given us great advantage over her, I was willing to join in the undertaking of such achievement, as it would deviate but little from the course I was to keep to go on my station. I suppose it was proposed only in order to have my refusal, that Capt. Jones might make a charge against me, saying that by my unwillingness he missed taking a 50 gun ship, and there was no more said about it.

I observed to Capt. Jones that he had exposed his boats in going after a vessel which I might have reached before the calm came on, had he not prevented me by a signal to do it ; he denied that such signal had been made, but it was proved it had ; and I added that, not being under his orders by those I had from his Excellency Benjamin Franklin, Esq; I joined with him for the good of the service, as he told me he was going also in the North Sea, &c. but if he made me again any such signal as he had done in the morning, against the said good and success of the service, I would do what I should think my duty therefor, without taking notice of the signals which he might make against the good of said service. As I was going on board the Alliance, Capt. Jones followed me in the steerage, stopped me there, and pointing with his finger at the Alliance, told me, you see that Frigate, you may thank me for having the command of her still, for I was empowered by Dr. Franklin to take her from you. I suppose, finding that I was strict to the orders I had from his Excellency Benjamin Franklin, Esq; and he could not keep me with him to prevent me from executing them, he told me that, in order to lay me under an obligation, thinking, if I believed him, out of gratitude I would do that which he wanted, which was to keep me from doing my mission ; but instead of that, I told him I knew better, and that I did not believe him, as I was advised in time that he had done all he could to take said command from me ; and moreover, I told him that I believed no more that Dr. Franklin had empowered him to take said command from me, as he had not that power himself, I left him and went on board the Alliance.

At ten o'clock, P. M. the Bon-homme Richard fired several guns without showing any signal : at eight o'clock, A. M. we saw the Cerf making all sail towards the land : at ten o'clock the Bon-homme Richard came and spoke to me ; somebody speaking for Capt. Jones, told me that the evening before, one of their boats with seven men in her, had run away towards the land, that they had fired and sent another with seventeen men after her, which was not come back ; I answered I was sorry for it : he asked me to go on board the Bon-homme Richard ; I told him the weather was too foggy to leave my ship then, but I would go as soon as it would be cleared.

In

In the afternoon of the 25th (astrononick date) I went on board the Bon-homme Richard and asked Capt. Jones what he wanted of me, guessing he would try to make me say the loss he had made was not by his fault, he told me he had lost two boats and twenty-four men ; I repeated I was very sorry for it, and observed, if he had let me chase the preceeding day it would not have happened ; he replied he did not let me chase for fear I would have run too nigh the shore ; I proved it could not be the Skillocks which he ment'oned bore Easterly of us, and the chase bore N. W. at nine or ten miles distance, having her head at the S. W. In chasing I would have got further and farther from any part whatever of the land, of which we were already at nine or ten miles distance : he told me that I wanted to charge him of the loss of his boats and men, but that they had not run away coming from taken the brig as I really thought ; and Lieut. Col. Wirbert, who was there, explained to me that the boats being come back from the prize, and the Bon-homme Richard being in calm, and too nigh the shore, the boats were sent ahead to tow her off ; but as soon as it was dark, one of the boats cut off her tow-line and ran off towards the land, whereupon the other boat was fitted out and sent after her : I said if I had not been prevented from chasing, the boats of the Bon-homme Richard would have been kept on board, and during the day they might have towed off the Bon-homme Richard, as I had the Alliance towed by her boats, when they would not have offered to run away ; but to the contrary, the Bon-homme Richard's boats being on board the prize, could not do the same service to their ship in the day time as they would have done, and they took the opportunity of night, knowing that in five minutes time they would be out of sight, as they did ; therefore it was the consequence of having prevented me from chasing the prize which occasioned the loss of his men and boats : Capt. Jones, having no reason to give against what I said, told me 'tis a lie ; as he spoke very low, I told him I hoped I had not well understood what he had said, and to repeat it ; which he did a second time and repeated a third, saying 'twas a d—m lie : I could help my anger no longer, I got up from my seat and told him had he not been on board his own ship I would have punished him as he deserved for giving me the lie the first time, and I offered to go away ; but he took the key of the cabin door which laid upon the starboard cupboard, and was going to lock the door : I snatched the key from his hand as he was putting it into the key-hole ; he tried to take it again out of my hand, but I pushed him off in such a manner as to intimate to him to go no further ; finding he had been too far, and that way would not answer, he became as mild as a lamb, tried to exculpate himself, saying that, in locking the door, he pretended only to prevent any body to come in. I told him he had a centry out side of the door, whom he could have ordered to let no body come in : I told him before Colonel Chamillard and Wirbert, the only two there, that I would have satisfaction of him, for his abusive language and demeanours to me as soon as arrived ; he said he would give it to me as soon as we might be on shore, any way I pleased ; and I went away telling him, I would not come for the future on board his ship ; he made no more opposition to my going on board the Alliance.

The Bon-homme Richard kept firing guns, to call back his two boats and the cutter Cerf, which he had sent after the elopement to look out for them, but none ever appeared. On the 26th he came to speak to the Alliance, and told that none their boats nor the Cerf were come back. I had somebody to answer, nor never would I suppose, on the contrary, that the deserters were on shore, where they would give the alarm and tell our force, by which they might gather together a stronger one to come against us ; and that it was neither prudent nor safe to remain there any longer : moreover, that if they intended to remain there, to let me know it that I might proceed where I had orders to go ; they said they would stay a day longer only.

On

On the 27th, at six o'clock, P. M. the wind being Southerly, very fresh, the Bon-homme Richard, Pallas and Vengeance, bore away to the N. W. and we followed: I recommended the officers to keep in sight astern of the Bon-homme Richard; at midnight Mr. Buckley came to tell me they had lost sight of every one; I told him to keep the same course till daylight, when, not seeing any one, I made the best of my way towards Fair-Island.

On the 29th, at $\frac{1}{2}$ past midnight, we gave chase to a ship which appeared to be large; at three o'clock, A. M. coming up with her, by seeing the lanthorn upon her deck, we took her to be a man-of-war, of the size of an eight-and-twenty gun Frigate; we got into her wake, I hailed and ordered her to strike; but instead of that, she fired her small arms at us, without any effect, and tried twice to come broad-side and broad-side with the Alliance; but the Alliance raked her with only nine guns, crossing her both times astern, by which the enemy's rigging was much shattered, without her being able to bring a gun to bear on the Alliance; her crew expecting every moment the Alliance would rake her hull fore and aft, with a whole broad-side, left their quarter and she struck: she proved to be the Betsey ship, Letter-of-marque, of five hundred tons burthen, having two-and-twenty nine pounders upon her main deck, and eighty-two men on board; she was from Liverpool, bound to Antigua, with a cargo; her rigging having much suffered by the few shots we had fired, and the wind being very high, it was six o'clock, P. M. before it was repaired and she was manned; I gave the Master's-mate, which I sent Master of her, the following order, viz.

"Mr. Thomas Fitzgerald,

"S I R,

"I now put you on board the ship Betsey, of 22 guns, lately commanded by John Fisher, from Liverpool, as Prize-Master, and deliver her with her appurtenances, into your care, and desire you to navigate her, and keep company with me in the Alliance, as long as you can; if you should happen to be separated, you will endeavour to conduct her to Bergen in Norway, and to apply either to the French Consul or the French Agent at that place: otherwise carry her to Dunkirk, Ostend or Newport, in those cases, you will address Mr. Callieau, father Merchant, at Dunkirk; but if you could not get into either of those places, then endeavour to get into Brest, l'Orient, or Nantes, or any other harbour in France; in these cases you will either write or apply to Mr. Goullade, at l'Orient; and in either of these cases above-mentioned, write and give advice to his Excellency Dr. Franklin, at Passy, near Paris, and to Mr. Le Ray de Chaumont, at the same place. So wishing you a safe passage, I remain yours, &c.

"Ship Alliance, at Sea, August 29, 1779."

"P. LANDAIS.

On the 31st instant, at three o'clock, A. M. saw two sails at a great distance ahead of us, gave them chase under all sail; they made all sails to run away from the Alliance, her prize being 6 miles astern of her, but the sea being very smooth, in five hours of chase we came within five miles of them; when I perceived them to be the Bon-homme Richard and the Vengeance; the Alliance showed her a signal and tacked about after a ship which was windward, and the Bon-homme Richard and Vengeance did the same; the chase bearing before the wind, the Alliance went to lay athwart her hawse, and made her strike; whilst the Bon-homme Richard got three miles windward, but came down after to her: I ordered the prize to bring to, and we hoisted out our boats to man her; she proved to be the Union Letter-of-marque ship, from London, bound to Quebec, loaded with cordage, canvas, floss, ready-made cloaths, &c. She had two-and-twenty nine pounders upon her main deck, and fifty-five men on board: the wind and sea rising much, Mr. Buckley, whom I sent on board with thirty of the Alliance's men, had the boats hoisted upon the prize's tackles, he had sent me word the prisoners on board were

. all

all intoxicated with liquor, and some said they threatened to mutiny. About three o'clock, P.M. another sail appeared, at a great distance, in the wind's eye; the Bon-homme Richard showed a signal for the Alliance to chase, which could not be advisable to do, because she had a great many prisoners on board, and but few men left that could be depended upon to guard them, as she had thirty of hers on board the Union; that she had her two boats on board said prize besides, the wind and sea were very high, and the Alliance very crank and dull sailing ship in such a sea: on the other hand, the Bon-homme Richard had none of those motives to prevent her from chasing, and was a better ship in such weather, was full manned and had nothing else to do; besides, the brig Vengeance, a fast-sailing vessel, was already three miles windward, which Capt. Jones might have with more propriety, gave signal to chase, but he would not, and the vessel got out of sight.

All the night the wind blew very fresh, and all ships laid to under main-sail: the next morning the Bon-homme Richard being three miles distance by the Alliance's weather bow, made her a signal to go and speak to her, which was impossible, having then enough of our main-sail, but the Bon-homme Richard could have clewed her own to let the Alliance come up with her, or could have sent the Vengeance to tell her what she wanted: as soon as the wind lulled, I made sail and spoke to her; Capt. Jones told me to go and tell the prizes to make more sail, which I accordingly did, though it would have been more proper if he had ordered the same to the Vengeance, which was a fitter vessel for that purpose, and had nothing else to do; but Capt. Jones did it out of spite, to try to put an end to my patience.

On the 2d September, the wind and sea falling, I sent Mr. White, one of the Alliance's Midshipmen, on board, as master of the prize Union, with similar orders I had given to Mr. Fitzgerald for the Betsey, but I told him if Capt. Jones sent him any, to receive them; we took all the prisoners on board, and manned her properly.

On the 3d instant, at four o'clock, A. M. saw from the Alliance, a sail-bearing N. E. showed the signal therefor to the Bon-homme Richard, who did not answer it; I ordered to chase the sail in sight; the Bon-homme Richard showed a signal to form the line, but did not show by a signal what line to form; and as I was upon a line with her, I continued the chase, and soon knew the ship chased to be the Pallas, which had been parted from the Bon-homme Richard ever since the 27th ultimo, when we parted her also. I went on board the Pallas, and asked Capt. Cottineau if he could receive some of the hundred and forty prisoners that were on board the Alliance, where there was no room to secure them properly; he told me I might send him some; accordingly I sent him the Union's crew, and kept the others.

In the afternoon, the Bon-homme Richard showed a signal for all Captains to go on board of her; I sent Mr. Blodget, and desired him to ask Capt. Jones's order to me in writing, as I could not go to receive them myself. Capt. Cottineau came himself to require me to go on board the Bon-homme Richard, and told me 'twas to agree together how to land at Shetland, where Capt. Jones was going; I told him as to go on board the Bon-homme Richard I would never go; that I was not under Capt. Jones's orders was evident, his mission being to land as he intended to do, and mine was to cruise by his Excellency Benjamin Franklin, Esq's orders to me; nevertheless, if he wanted to consult me upon any plan, he might do it in writing, or send an officer to communicate it to me verbally, and I would give my opinion thereupon; moreover, though I was not under Capt. Jones's orders, if he would send them to me in writing, I would do all I could to execute them—he went away. Capt. Jones sent me by Mr. Mcaze, the following, viz.

“S I R,

" S I R,

" I am to request you to come yourself on board immediately, on business.

" I am Sir, your very humble Servant,

(Signed)

" JOHN P. JONES."

" At Sea, on board the Bon-homme Richard, September, 1779.

" To Peter Landais, Esq; Captain of the Alliance."

I made him the following return by Mr. Meaze, viz.

" S I R,

" I am to answer your letter that I cannot go ! you know why ; if you have to ask my opinion upon any business, you'll please to send somebody who may communicate it, or send it by writing.

" I am Sir, your very obedient humble servant,

" At Sea, on board the Alliance, September 2, 1779.

" PETER LANDAIS.

" John Paul Jones, Esq; Captain of the Bon-homme Richard."

On the 3d instant, at noon, the two prizes were almost out of sight, on our lee quarter, and the Bon-homme Richard a mile ahead by our weather bow, carrying pressed sail ; in following her, we soon after lost sight of the prizes.

On the 4th instant, having weathered Fair-Island, being but the Bon-homme Richard, Alliance and Pallas in sight ; at 11 o'clock, A. M. the Bon-homme Richard told the Alliance to go Westward to look for the prizes, and to return the next day in the N. E. of Fair-Island, where would be the Bon-homme Richard and Pallas waiting for us : accordingly, the wind being S. W. by W. the Alliance went close to it on the larboard tack until six o'clock, P. M. she tacked about : at three o'clock, A. M. she saw a sail ahead of her ; chased and took her, she was a sloop in ballast, bound from Leith to Shetland, put a Midshipman and two seamen on board : at four saw another sail bearing N. E. gave chase to her : at six o'clock saw the Vengeance going towards the Bon-homme Richard and Pallas, the Alliance continued to chase 'till eight o'clock, when she took another sloop loaded with coals, bound from Greenock to Shetland, put a Mate and two seamen on board, and all joined with the Bon-homme Richard, Pallas and Vengeance ; the Alliance having not seen the prizes, which not being able to weather Fair-Island, had either put on the other tack or bore away North about thereof. The Bon-homme Richard and Pallas took each in tow one of the sloops taken by the Alliance.

Mr. Meaze brought me the following, viz.

" The Honorable John-Paul Jones, of the Continental navy, commander in chief of the American Squadron, now on an expedition in Europe.

" To Peter Landais, Esq; Captain in the Continental navy and of the Frigate Alliance, now at sea, and belonging to the said squadron.

" You are hereby required and directed forthwith to come on board the ship of war the Bon-homme Richard, for which this shall be your order.

" Given on board the ship Bon-homme Richard, at Sea, the 5th day of September, 1779.

(Signed)

" JOHN P. JONES."

To

To which I answered.

“ To Paul Jones, Esq; Captain in the Continental Navy, and of the Frigate Bon-homme Richard, now at Sea.

“ I shall not go on board the Bon-homme Richard, as I told you in my last letter : you know the reason why, for which this is my answer.

“ Given on board the Frigate Alliance, at sea, the 5th day of September, 1779.

“ P. LANDAIS.

“ Paul Jones, Esq; Captain of the Frigate Bon-homme Richard, at sea.”

It is to be observed that Capt. Jones did not mention that he was empowered by Congress or by his Excellency Benjamin Franklin, Esq; to command the American Squadron, of which he said the Alliance belonged ; but he took that title and right from the agreement we had made willingly before our sailing from Groais, in order that, if I had followed his orders, his Excellency Benjamin Franklin, Esq; might have said and proved I had broke his own orders to me : but seeing into his plan to ensnare me thus, I sent Mr. Blodget to ask Capt. Jones' orders to me in writing, by which I could judge whether they coincided with those I had from his Excellency Benjamin Franklin, Esq; if not, the said agreement being at an end, I would hold to and fulfil his Excellency's orders to me singly. Mr. Blodget brought me word, only to keep a-stern of the Pallas, as appears by his certificate following, given me some time after, viz.

“ About the fifth September, in the evening, Captain Jones told me to tell Captain Landais to keep a-stern of the Pallas : I had before that told Captain Jones that Captain Landais desired to have all his orders in writing. (Signed) N. BLODGET, Purser of the Alliance.

“ October 22d, 1779.”

Captain Jones always took care not to give me orders in writing to follow him at Shetland, and the word he sent me to keep a-stern of the Pallas he could have said was no order to me to follow the Pallas in landing at Shetland, if she had as t'was designed, but it was only a transitory advice for the day.

However, I had all, men and boats, prepared for landing, and the cables bent to the anchors in case Captain Jones had given me proper orders to follow him, as may appear by the following certificates, viz.

“ This may certify that Captain Landais gave me orders to get the boats ready on the sixth Sept. for the purpose of landing a number of men upon Shetland ; also to equip them with stantions for to mount swivels.

(Signed)

“ JAMES BRAG, Carpenter.

“ Alliance Frigate, October 21st, 1779.”

“ We hereby certify that on the sixth September last we had our cables bent and we were ready to come to an anchor, and was keeping a-stern of the Pallas.

“ Alliance Frigate, Texel, October 21st, 1779.”

(Signed)

John ~~X~~ Darling, Boatwain,
mark.

John Larcher, jun. Master's Mate,
Thomas Hinsdale, Master's Mate,

E

John Buckley, } Acting Lieutenants.
James Lynd, }

“ This

"This may certify that Captain Landais gave me orders to get ready forty lands-men and Marines, armed and accoutred, for the purpose of landing upon Sherland on the sixth September last. I asked for written orders; he answered that I must go on board Captain Jones and receive my orders there.

(Signed)

"M. PARKE, C. M.

"Alliance Frigate, October 21st, 1779. Texel."

On the seventh instant a high N. W. wind drove every one of us from the land, laid to under-main-sail only; at ten P. M. the Richard windward of the Alliance and the Pallas leeward of her, we lost sight of every one, showed several times a light to the mizen-pick, but none answered; at day light none in sight of us—the wind and sea very high, found the Alliance's cut-water had parted from her stem of above an inch; kept the same tack. On the ninth inst. we had sounding by fifty-three fathoms: and on the eleventh instant made land north of Scarborough.

On the twelfth instant at six o'clock A. M. saw a ship-of-war and a cutter by our weather-bow, they bore down upon us for a short time, and the Alliance kept always close to the wind, but they came close to the wind also; the Alliance chased them until night, but could not come up with them. The next day we took a brig, loaded with coal, bound from New-Castle to Flamborough; I took her crew on board, manned and sent her to Bergen, in Norway.

The Alliance having cruized ever since, off Flamborough-head; on the 22d instant, she saw, at the break of day, a large ship and a brig; she gave chase to them, and they run away, but she came up with them very fast, when I knew the ship to be the Pallas: I showed her the Alliance's private signal, and she shewed me hers; the Alliance showed her a signal to chase a brig in sight, which she went after, took and scuttled, as well as the other she had with her, when perceived; and the Alliance chased another, which got into Burlington harbour, before she could come up with it; being in shoal water, she stood off: at six o'clock, P. M. spoke to the Pallas, who told me they had parted the Bon-homme Richard and Pallas three days before, that they had done nothing but took a small brig, which the Bon-homme Richard had ranfomed, and that the Vengeance had parted them the same night the Alliance did, but had joined them again two days after.

At 7 o'clock, P. M. on the 22d September (astronomic reckoning) saw two sails, but so close to the land, that we could not give them chase; at three o'clock, A. M. saw two sails windward of us, one of them appeared to be a large ship, which had lights fore and aft, and fired two guns; we brought to, waiting for them, and prepared for action, but they brought to also, and stood upon the defensive; Capt. Cottineau, of the Pallas, asked me, if the largest proved to be a sixty-four English ship, what I intended to do; I answered, we must in that case, try to escape, and even if she was above fifty, being too shortly manned, I would have nothing to do with her: at day-light, we saw they were the Bon-homme Richard and Vengeance.

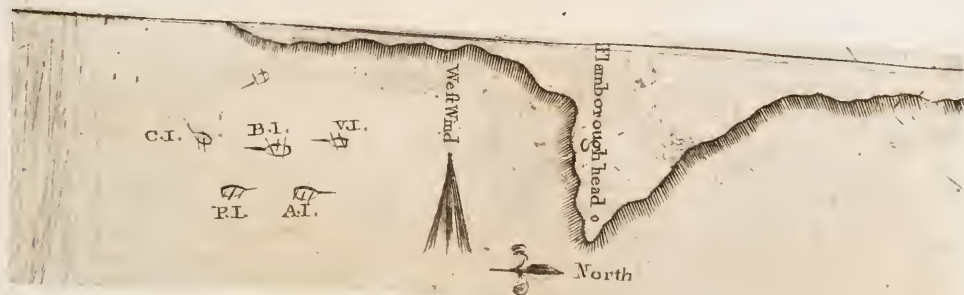
About 8 o'clock, A. M. we saw several small vessels, close to Flamborough-head, which we were chasing all together, when at ten o'clock, we saw windward, one of the brigs, prize to the Pallas, scuttled and abandoned the day before, which could be easily perceived, as she had all her sheets and braces loose, that vessel offing and losing successively; the Bon-homme Richard chased her, and showed a signal to all the others to follow; about half an hour, P. M. the Bon-homme Richard fitted out a pilot schooner she had taken, to go and take her; but Capt. Jones, in all appearance, forgot to give the officer he sent in her, a signal to recall her on board the Bon-homme Richard, if he thought proper.

At one o'clock, P. M. saw from the Alliance, two sails, bearing N. E. of her, about ten miles distance, which were upon the starboard tack ; the wind being then due west, the main signal thereof ; at half past one, the Bon-homme Richard showed a signal to the Pallas and Alliance, to chase before the wind, these two sails ; but the Bon-homme Richard and Vengeance, instead of doing the same, both tacked about, and kept close to the wind, giving chase to the pilot schooner, which Capt. Jones had sent after the brig abandoned. The Alliance and Pallas bore away, at all sails, and steered at first N. E. by N. to cut off from the land the two sails chased ; in chasing and going from the land, we soon discovered the fleet of English merchantmen close to the land, Northerly of Flamborough-head, which had been hidden 'till then from us by said Cape : at four o'clock the wind shifted to the S. W. one of the two sails chased tacked about and went close to the wind, upon the larboard tack, towards the fleet ; the other, which was the largest, kept upon the starboard tack ; the Bon-homme Richard and Vengeance, which had been close to the wind, or brought to upon the starboard tack 'till then, began to bear away, being five miles astern of the Alliance, and consequently so much farther from the vessels chased ; at five o'clock, the largest of the two vessels, seeing the Alliance draw nigh very fast, showed a signal to the other, and fired a gun ; they both tacked about to join one another the sooner ; the Pallas two miles astern, shortened sail to wait for the Bon-homme Richard ; at six o'clock, the two sails chased, had formed a line upon the starboard tack, close to the wind, at half a cable length distance, brought to under top-sails, the fore one full, the main and mizen ones on the mast, the largest ahead ; the Alliance being then a mile distance from them, seeing the lower battery ports open of the largest, and both having St. George's flag and pendent flying, the Alliance brought to upon their starboard quarter, being not half manned, and so inferior in strength to the enemies, waiting for the others to agree with them how to attack, having no signal during all the chase ; at seven o'clock the two English men-of-war having wore and put in a line close to the wind upon the larboard tack as they were before upon the other, the Bon-homme Richard coming down at a mile distance windward of the Alliance, I had her three top-sails filled and went close to the wind to speak to Captain Jones, acquaint him of the enemies force, and agree together how to attack them ; I had him hailed, but instead of answering, the Bon-homme Richard, which was right before the wind, went large upon the larboard tack, to avoid speaking to us ; seeing which, the Alliance bore away and went on the weather-quarter of the enemies as they were, having the largest of them at two musket's shot distance by the lee-bow, and the other at the same distance by her beam's end, which hailed the Alliance, but was not answered : the Bon-homme Richard went and brought to, about a mile distance, by the largest of the enemies bow, where she stay'd above half an hour : the Bon-homme Richard bore head-long upon the largest of the enemies broad-side, who taking the advantage thereof, raked the Bon-homme Richard fore and aft, from her starboard bow to her larboard quarter, by which he was so disabled that the men, after having fired her upper and lower deck guns, left their quarters, as did those upon her poop. At the instant the first gun of the Bon-homme Richard was fired, the Alliance began the engagement with the other enemies ship, which returned broad-side for broad-side, during twenty minutes ; but finding the Alliance's fire too heavy for her, filled her topsails, and had main and fore-tack on board to go ahead, before she was perceived, in the smoke to give way : as soon as perceived, the Alliance had her topsails filled, and both main and fore-tacks on board, to join the enemy's again. The Pallas being on the Alliance's quarter, coming down under topsails, I hailed and told her to make more sail and come to engage the smallest of the two enemies, and I would go to help the Bon-homme Richard, who had been so distressed by the enemies broad-

sides that she fired now and then, some of her quarter deck-guns : Capt. Cottineau desired me to fire a broad-side passing windward of the ship the Pallas was going to engage, which we did ; being soon come up with the Bon-homme Richard, and the enemy she was engaged with, we found them fast along side, head and stern of one another, the enemy being windward, and having her head towards the north, fired six or seven of her larboard lower battery guns at the Alliance, but the shots went between her masts ; seeing the position of these two ships, I judged, that if I went along side of the enemy, that all my cannon and small-arm shots would go on board the Bon-homme Richard, and hers come on board the Alliance, by which we must have destroyed one another, and the enemy would have the advantage to play her two side batteries upon us ; therefore I thought the best and only way to reduce the enemy was to rake her from stern to head ; accordingly the Alliance bore away, I called the Lieutenants and Master-Gunners, showed them the enemy, which had her stern towards us, and recommended them to tell the Gunners, to point upon a light she had in her cabin, and told them to take care not to fire upon the Bon-homme Richard, who had her head towards us ; we crossed astern of the enemy, within a musket shot, and all the guns were fired at her one by one, as we went along ; at same time, our tops fired at her, and upon her quarter-deck ; she returned only a few musket shots at us (one of which went through a man's hat brim, who was upon the fore-castle, without hurting him : I mention this only to prove the imposition of Capt. Jones, in his relation about the distance) the Alliance's broadside had made such havock on board the enemy's ship, that though before she fired twenty cannon to the Bon-homme Richard's one, she was reduced to the same level, they both fired but now and then : the Alliance being then right before the wind, and in the impossibility of coming again in any position to fire upon the enemy's ship, without running two tacks ; having the Pallas and English smallest Frigate engaged together, our starboard bow at two cables length distance, I thought the best service I could do, for fear that said English Frigate, by some accident or other, might conquer the Pallas, by which the enemies would have been three ships against two of us ; but if I could, by a broadside, make this English Frigate strike, we should be four against one, by which we would be sure of the victory, which manœuvre could not keep the Alliance above a quarter of an hour from helping the Bon-homme Richard ; accordingly, the Alliance went in, order to rake the English Frigate, but she seeing the danger thereof, had she stood ten minutes longer, struck her colours ; seeing which, the Alliance went close to the wind, with main and fore tack on board, on the larboard tack, the current going to the S. E. as soon as she was by the English largest Frigate's weather bow, she tacked about, bore away, and raked the English Frigate, crossing ahead of her, from head to stern : the Alliance came close to the wind, on the starboard tack, with main and fore tack on board ; being windward enough, she tacked about, and went and raked again the English Frigate from stern to head, bearing down and crossing her stern so effectually, that they cried out from the English Frigate they were surrendered, and they struck their colours ; the same instant their main-mast went by the board : The people on board the Alliance, were so cool during all the time, that though there was too cannon left ready loaded and pointed, after having fired the rest, as soon as I gave orders to fire no more, not a single shot was fired ; and though there was but small wind in the night, and in the smoke, the Alliance did not miss one evolution during all the engagement : the two English Frigates taken, proved to be the Serapis, commanded by Capt. Pierion, mounting forty-two guns, having two hundred and eighty men on board, and the Countess of Scarborough, Capt. Piercy, a twenty gun ship.

As the above relation of mine might be suspected of partiality in the Alliance conduct's favour, during that engagement, Capt. Jones having construed one as void of sense as of truth, all to his disadvantage, and to the charge of the Alliance, which he sent to his Excellency, who had it printed. The following copies of the sketch of the different positions of the ships during the engagement, and the relation thereof, signed and certified by all the officers of the Alliance, known to be my enemies, will not only render more conspicuous, but will corroborate mine, and prove the falshood of Capt. Jones's, viz.

FIRST POSITION.

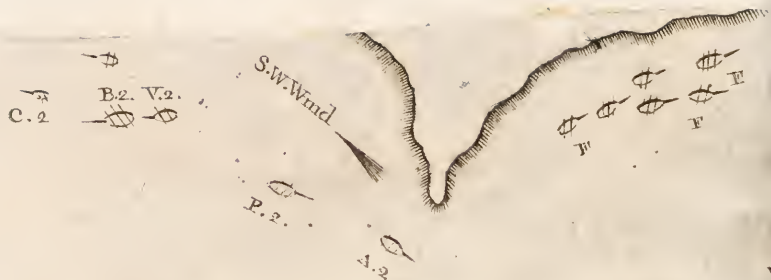


- B. 1. The Bon-homme Richard;
 A. 1. The Alliance.
 P. 1. The Pallas.
 V. 1. The Vengeance.
 C. 1. A small pilot and schooner.
 S. 1. The Serapis.
 C.S. 1 The Countess of Scarborough.

"The first position of our fleet at half past two o'clock, when I perceived the Serapis and Countess of Scarborough about N. E. made signal of ships in sight, the Bon-homme Richard hoisted signal of chase and brought to, to wait for a little schooner she had sent, armed, to take a brig (coloured yellow) which had her men taken out, and had been abandoned by the Pallas the day before.

"Position of the English convoy when we began to chase, we saw the fleet F F as represented."

Certified by all the officers of the Alliance.



F F The Fleet

C. 2. 4

S. 2. 4

" Second Position. At four o'clock, the wind shifted to S. W. but very weak, the Alliance and Pallas chasing with all sails set; the Bon-homme Richard and the Vengeance on the starboard tack waiting for the schooner; then the Bon-homme Richard bore before the wind."

Certified and signed by all the officers of the Alliance.

" Third



"Third Position. At five the Derapis fired a gun and showed a signal at her fore-top-gallant-mast head and tacked upon larboard; the Countess of Scarborough took the starboard tack to come and join him."

Certified and signed by all the officers of the Alliance.



" *Fourth Position.* At six o'clock the *Serapis* and *Countess of Scarborough* lying to on the starboard tack, having their fore-top-sail full, main and mizen topsails aback : being but a mile from them on their starboard quarter, and having, with my glass, seen the ports of the *Serapis*' lower battery open, I thought it prudent to heave to also, and wait for the *Bon-homme Richard*, &c. lest a calm might come on, of which there was great appearance, and prevent their coming to my assistance, and also to agree upon the mode of attack, having had no signal during the chase."

Certified and signed by all the officers of the Alliance.

P.S.

B.

A.S.

C.S.S. S.S.

" *Fifth Position.* At seven o'clock the *Serapis* and *Countess of Scarborough* wore and took the larboard tack : I then filled topsails to get upon the larboard quarter, and at the same time to speak to the *Bon-homme Richard* ; this ship avoided me, coming large upon the larboard tack, going towards the larboard bow of the enemy."

Certified and signed by all the officers of the Alliance.

P.S.

B.

A.S.
C.S.S. S.S.

" *Sixth Position.* Seeing that I could not speak to the *Bon-homme Richard*, wore the ship and went and hove to under topsails as the enemies were, the *Countess of Scarborough* two muskets shot on our starboard beam ; the *Serapis* about the same distance on our starboard bow, waited for the *Bon-homme Richard*, thinking she would begin the attack upon the enemies quarter, and upon a line : The *Countess of Scarborough* hailed me, but I gave no answer."

Certified and signed by all the officers of the Alliance.

“ Seventh Position. The Serapis, Countess of Scarborough, and the Alliance, kept the same position, till the Bon-homme Richard came within musket shot of the Serapis, who hailed, and the Bon-homme Richard began to fire: the Serapis, seeing her coming down, canting away, raking the Bon-homme Richard from her starboard bow to her larboard quarter (as it was reported to us by the officers of the Bon-homme Richard) at the first gun fired by the Bon-homme Richard, I began with the Countess of Scarborough, with whom we exchanged broad-sides for about twenty minutes, and ceased only because the Countess of Scarborough suddenly shot ahead; we do not know whether she did not drop an anchor: the Pallas was about half a mile distance on our larboard beam and quarter, coming down.”

Certified and signed by all the officers of the Alliance.

“ Eighth Position. The Bon-homme Richard went on the larboard side of the Serapis, her bowsprit in the main shrouds of the latter: I had main a fore tack on board to get up with these ships, to help the Bon-homme Richard: I spoke to the Pallas, who was under top-sails; I told her to make more sail and bear away, to engage the Countess, who had been raking the Bon-homme Richard, whom I was going to help; the Pallas desired I would give a broad-side to the Countess in passing, which I promised to do.—N. B. What passed between the Pallas and Alliance, was in French.”

Certified and signed by all the officers of the Alliance.

“ Ninth Position. The Bon-homme Richard and the Serapis, having got clear of each other, the latter filed her sails, came close to the wind, and raked the former fore and aft; at this time I was passing by the Countess, and exchanged several broad-sides with her; the Pallas coming before the wind, crossed her stern, and raked her fore and aft, then the Countess of Scarborough bore before the wind.”

Certified and signed by all the officers of the Alliance.

B

“ Tenth

A. 10. S. 10.
S. 10.
S. 10.
S. 10.

" Tenth Position. The Bon-homme Richard, having been raked by the Serapis, shot ahead after, and again got foul of the bowsprit of the last, being in the mizen shrouds of the former; the ships then came along side each other, the head of the Serapis to the North, and that of the Bon-homme Richard to the S. S. E."

Certified and signed by all the officers of the Alliance.

S. 11.
S. 11.
S. 11.
S. 11.

" Eleventh Position. The Bon-homme Richard and Serapis being along side each other, their fire being very slow, I thought I could do nothing better than to rake the latter, accordingly I bore away before the wind, she fired some of her larboard guns of the lower deck at us, but they did little damage; I passed by her stern and raked her, then came on the starboard tack to rake and put an end to the Scarborough's fire."

Certified and signed by all the officers of the Alliance.

S. 12.
S. 12.
S. 12.
S. 12.

" Twelfth Position. The Serapis had let fall an anchor, and the two ships fired but very little, the Bon-homme Richard very seldom, excepting very few small-arms, the former but very few of her lower guns: I went and hailed the Countess, she told me she had struck, the Pallas confirmed it; I wore ship, had the main and fore tack on the larboard, and hauled the wind to go and help the Bon-homme Richard."

Certified and signed by all the officers of the Alliance.

S. 13.
S. 13.
S. 13.
S. 13.

" Thirteenth Position. I shot ahead of the Serapis, tacked upon starboard, and passing by her bow raked her fore and aft, and came close to the wind, main and fore tacks on board. Some cried from the Bon-homme Richard for me to go on the larboard side of the Serapis, which if I had obeyed, would have proved fatal to the three ships."

Certified and signed by all the officers of the Alliance.

" Fourteenth

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" Fourteenth Position. I went on the starboard tack 'till I could fetch the Serapis; I then tack-
 ed about, went and raked her so effectually, that she struck before all my broad-side was fired. I ~~was~~
 hailed from the Bon-homme Richard and desired to send my boats on board to save their people for
 she was sinking, which I did instantly."

Certified and signed by all the officers of the Alliance.

" Alliance-Frigate, October 22d, 1779.

" We whose names are here unto subscribed, do certify that the present relation and sketch of the
 chase and engagement is the truth, the whole truth, and nothing but the truth, to the best of our
 knowledge, viz.

" That we never saw any signal, but the signal for chase.

" That in the fifth position, we went close to the wind, on our starboard tack, to speak the Bon-
 homme Richard (to know what mode to attack in) who was on the larboard tack, and Mr.
 Ingraham hailed her, but she hauling her wind did not hear or would not answer.

" That every time we went for to rake the Serapis, Captain Landais, and Mr. Buckley, called
 to the Lieutenants for to tell the Gunners to take care not to fire upon the Bon-homme Richard, and
 always explained which was the Serapis, and which the Bon-homme Richard, that there might be no
 mistake made, and there could be none made, as we could see their colours.

" We went twice within musket shot of the Serapis astern, and once on her bow.

" That there was no opportunity nor time lost in going to the assistance of the Bon-homme Richard,
 having had our main and fore tacks on board, on the different tacks we ran between our firing, since
 the beginning of the engagement.

" That we saw several times the fire on board the Serapis.

" And that we saw the Countess of Scarborough raking the Bon-homme Richard.

True Copy (Signed) " M. Park, C. M.

Thomas Elwood, L.M.

James Warren, 1st L.M.

James Degge, acting 1st Lieutenant,

John Buckley, Master,

James Lynd, acting 3d Lieutenant,

Benjamin Pierce, Gunner,

his

John X Darling, Boatswain,

mark

James Bragg, Carpenter,

John Larcher, jun. Master's-Mate,

Thomas Hindsdale, Master's-Mate,

Arthur Robertson, Midshipman,

Volunteer, Nathaniel Ingraham, quartered upon the

(quarter-deck,

Nathan Blodget, Purser, quartered upon

(the quarter-deck,

Volunteer, John Spencer, on the quarter-deck."

By the superiority of the Alliance's fire and metal over the Countess of Scarborough, she received from her only few shots in the hulk of the ship, one that grazed upon the bowsprit, and another through the barge, she had two of her main and fore shrouds shot off, a few rigging, but her sails were shot through in many places, which the Sail-Maker went to mend, as soon as the engagement was over.

As soon as the Serapis' main-mast had gone overboard, she and the Bon-homme Richard parted, and the former was going towards the land ; Capt. Jones sent me word to go and take the prisoners out of her, as may appear by the following, viz.

" This may certify, that Capt. John P. Jones ordered me the Subscriber, on the 23d September last, to desire Capt. Landais to take all the prisoners belonging to the Serapis, on board his ship, which Capt. Landais did accordingly, and took the prize in tow, to get her from the land.

(Signed)

" ARTHUR ROBERTSON, Midshipman."

We took a hundred and fifty prisoners out of her ; I sent Mr. Buckley, Mr. Lynd, the Carpenters, and forty men on board of her ; she had received only five shots in her side from the Bon-homme Richard ; the greatest damage of the former done by the latter, was in the stump of the main-mast, the spars nigh it on the booms ; but all her stern cabin windows were shot to pieces by the Alliance's shots, as well as her masts and yards ; she had many shots fore and aft, and there was not two foot square in her fore-sail but had a hole in it, besides she had a shot at her water line, two feet forward of the standing post, on the larboard side.

The Alliance took in tow the Serapis, and drew her from the land ; very foggy weather, and very weak south wind : at nine o'clock, A. M. we came up with the Bon-homme Richard, Pallas, Vengeance and Countess of Scarborough ; the former made a signal to send her our boats and men ; I sent her forty men and two boats, keeping only the barge, which could not go before being repaired, having been shot through ; and there was but seventy men of the Alliance's crew left on board, there being two hundred and twenty-five prisoners. At ten o'clock, the Bon-homme Richard coming right upon the Alliance, she was compelled to prevent being boarded, to let go the hawser she towed the Serapis by. Then Capt. Jones left the Bon-homme Richard, and went on board the Serapis.

On the 24th instant, at six o'clock, A. M. I heard with pain, that Capt. Jones, who had left the Bon-homme Richard the day before, and was gone on board the Serapis, sent me word, to take out of her the wounded people, the only ones left there, and to abandon her ; when I knew she could have been saved had he been willing, as the sea had been very smooth the day before, during which she might have been heeled from one side to the other, and the shot holes at her water line, mended by thirty Carpenters and Calkers, with the necessary stuffs we had on board the several ships ; and even at eleven o'clock, when we abandoned her, though these holes were only plugged up, and she had not been pumped since seven o'clock the preceding evening, and had her lower battery ports open in a high sea to let in the water, she was not six inches deeper in the water than when she came out of port P'Orient.

But Capt. Jones being sensible that his faults during the engagement, were too deeply printed by the enemies shot upon his ship's sides and head to be erased, and besides that, the being a great deal larger and stronger ship than the Serapis, instead of false glory he aimed at by his misrepresented relation, he must have been blamed by every body, who might have seen and compared the difference of size and strength of these two ships, and how little the Serapis had suffered from the Bon-homme Richard ; how much the latter had suffered from the former, owing to the

the difference of ability in the two Captains of them, had the Bon-homme Richard been brought into harbour ; moreover, by the direction of the shot holes he had received, it might have been judged who she had received them from, all which would have been proofs of the falshood of the pompous relation he gave of his boasted glory and ability.

At nine o'clock, A. M. the Serapis, Countess of Scarborough, Pallas and Vengeance made sail and left the Alliance, taking out of the Bon-homme Richard twenty wounded men left there : but at eleven o'clock, these ships being about six miles, Captain Jones imagining and fearing I suppose that the Alliance would undertake to save the Bon-homme Richard (which was impossible, as she had only a hundred and fifteen men in all her crew on board) sent the schooner on board of her, to cut all the main-mast shroud's lanyard, by which it went overboard, and unplug'd the shot holes to make her sink, and she accordingly sunk at noon.

The day before the Bon-homme Richard was sunk, her First-Lieutenant said before me, also that which is certified hereafter, viz.

" I the subscriber heard Mr. Richard Dale, First-Lieutenant of the Bon-homme Richard, say, that if he had an hundred men, he would undertake to carry said ship into port, provided another ship would keep him company ; he said he thought he should do very well with her, unless it came on to blow hard : all this he said in the cabin of the Alliance the night that he left the Bon-homme Richard, in the month of September last.

(Signed)

" N. BLODGET, Purser of the Alliance.

" l'Orient, 4th May, 1780."

By which it may be seen, that Mr. Dale, who had been on board that ship since the engagement, knew well the situation she was in, and 'tis very likely Capt. Jones knew it likewise, but would sacrifice any thing to his own private views.

On the 27th instant, Mr. Lynd, an Acting Lieutenant of the Alliance, who had been kept with thirty of her men on board the Serapis since the engagement, being spoke to by Captain Jones, who wanted to try him, by speaking ill of the Captain and crew of the Alliance, resented it : Capt. Jones finding that he could not bring him to say any thing against me, threatened to put him in irons ; Mr. Lynd, seeing one of the Alliance's boats along side, jumped in her, and came on board, where he told me how Capt. Jones had used him, and on what account ; and that some of the Alliance's people there were flog'd unmercifully on the same account. I sent Mr. Robertson to ask the Alliance's men of Capt. Jones, but he would not let them go, (though there was two hundred and twenty-six prisoners on board, to be guarded by the short number of the crew, besides the ship's duty, and many were sick) as may appear by the following, viz.

" This may certify, that Capt. Landais sent me on board the Serapis, to desire Capt. Jones to let him have his people, they being chiefly Americans, and we having a number of prisoners then on board : Capt. Jones returned for answer, that if Capt. Landais insisted on having them, he should not have them, and nothing further was mentioned about them.

(Signed)

" ARTHUR ROBERTSON, Midshipman."

" October 26, 1779."

On the 3d October, being in sight of the coast of Holland, in company with the other ships, and having seen several pilot boats passed by, and no signal made to call them on board, thinking

ing the other ships had some body acquainted with the coast, I showed them a signal, and one came on board, and having great many sick and wounded, I made for the Texel, and the others followed, but they came close to the wind; when I was too nigh the coast, the pilot told me not to go farther, and come to an anchor, as we did at 6 o'clock in the evening. Here follows the Surgeon's certificate thereupon, viz.

"This may certify whom it may concern, that my report of the sick, to Peter Landais, Esq; on the 3d of October, was that a considerable number of people were now sick, and many others complaining, which gave me reason to fear, that a general sickness will take place among the men; and that I want some necessaries for the sick and wounded."

"AMOS WINDSHIP, Surgeon on board said ship."

"On board the ship Alliance, October 21, 1779."

Captain Jones, to make the better show and gain credit, in coming into the Texel, had kept the old sails of the Serapis bent, which had been shot to pieces, and in danger of losing that ship, which perhaps he would have liked very well, in order to say that she had been so disabled by the Bon-homme Richard that he could not bring her in, though there could be not one of her shots in those sails, by the way she engaged her.

On the 4th instant, as the Alliance was sailing into the Texel, Mr. Dumas, the American Agent in Holland, came on board; as soon as he knew me to be the Captain, he entreated me to have no quarrel whatever, whilst in Holland, and showed me a letter to him, from his Excellency Benjamin Franklin, Esq; on that subject. How could his Excellency foresee that Captain Jones and myself were at variance, if he knew not that Capt. Jones would, by his consent, wrangle with me? I gave him a letter to forward to his Excellency Benjamin Franklin, Esq; relating to him the essential parts of our cruise. The other ships got into the Texel but the next day after, all under French colours.

Mr. Dumas had given me the direction of Mr. Neuville, Merchant, at Amsterdam, to apply to him for the Alliance's wants, to whom I wrote.

On the seventh instant a man sent by Mr. Neuville came to the Texel on board the Pallas, Vengeance, Serapis and Countess of Scarborough, to know what they wanted; but went back without coming on board the Alliance. The next day after, having the indents of the articles the Alliance wanted to go to sea again, I went to Amsterdam to carry it to Mr. de Neuville; knowing Capt. Jones was in the house, I told Mr. de Neuville I wanted to speak to him, he told me he was at the Hague; he did not appear in public for two days: at last I learned that he was to dine at the Crown, a tavern; being with somebody in a room whence he could have seen me come into the house, I sent him word three times that I wanted to speak to him before he came; at last being come, I told him that he remembered how he had insulted me on board his ship, and had promised to give me satisfaction therefor when we should be on shore, that I was accordingly come to request it of him: but as his Excellency Benjamin Franklin, Esq; had wrote to Mr. Dumas to tell the Captains that, whilst in Holland, there should be no variance, or something to the same purpose, we might in a few hours go out of Holland where we might accomplish his promise and my desire; he denied knowing any thing about said letter to Mr. Dumas, and added that he would give me no satisfaction, but Dr. Franklin would, whom he had wrote to that I had fired upon the Bon-homme Richard during the engagement, and killed many of his men; I replied I knew him well enough not to wonder at his forging such falsehood, in order to avoid giving me the satisfaction I requested of him, and to charge, if he

he could, the Alliance with the blood of above sixty men he had lost by his blunders and misconduct in attacking the Serapis, to whom he must have surrendered in three-quarters of an hour's engagement, had not the Alliance rescued him, destroyed and made the Serapis yield: seeing that I grew warm he suddenly withdrew, and went again in the room he came from. Knowing all he was capable of, and fearing that he would tell barely that I was come to challenge him, in order to find a charge against me; I went in the room and asked him if he had any orders to send on board the Serapis; he said no, and I went away.

I went back to the Texel; on the 21st October, I received the following letter, viz.

“ Passy, October 14, 1779.

“ S I R,

“ I received the letter you did me the honor of writing to me, the fourth instant, with an abstract of your journal; I thank you for your care in sending it so early; and I congratulate you on the success of your cruize.

“ But I am sorry to find there are charges against you for disobedience of orders; and also that the Ministry here, think the great loss among the King's subjects, viz. the French volunteers on board the *Bon-homme Richard*, was owing to your not coming up sooner to her assistance, as it is supposed you might have done: Mr. de Sartine has in consequence written to me, that it is expected I should cause an immediate enquiry to be made into your conduct. A Court-Martial is the regular way, if you choose it, but as that may occasion a long discussion, and be in many respects, at this time, inconvenient to the service, I have (with the advice of your friend Monsieur de Chaumont) thought it better to give you an opportunity of justifying yourself both to the Ministry and to me, by coming directly to Paris, which I do hereby accordingly desire (or to use a stronger expression, as you may think such necessary to justify your leaving your ship, I do require) that you render yourself here as soon as possible. I need not advise you to bring with you such papers and testimonies, as you may think proper for your justification: and will only add, that you may be sure of finding in me every disposition to do that justice to your character which it shall appear to merit.

“ I have the honor to be, Sir, your most obedient and most humble servant,

(Signed)

“ B. FRANKLIN.

“ I have the pleasure to acquaint you that two prizes you sent to Norway are safely arrived at Bergen.

“ Hon. Capt. Landais.”

I thought I perceived, by his Excellency Benjamin Franklin, Esq; he wanted to give a double interpretation to his orders to me, saying that there was charges against me for disobedience of orders, though there was nothing in them that directed me to obey Capt. Jones; and by the French Minister's interfering in the matter of the engagement, that there was a plan laid against me before I left l'Orient, and Capt. Jones had been directed to take advantage of events to carry it on as he did, being sure to be backed by his Excellency Benjamin Franklin, Esq; who, he had owned to me and others, had empowered him when at l'Orient, to take the command of the Alliance from me.

For what would have become of Capt. Jones's pretended glory, and how could he have brought any charge against me had he owned,—that the Alliance, out of seven merchant vessels which were taken, she alone took five of them, and she was in company with the others when the two other small ones were taken,—his conduct and blunders in general during all the time the Alliance had been in company with the others,—and in particular in the time of the chase and engagement.

agement of the 23d September, 1779,—that he began in the Bon-homme Richard to chase but two hours after the Alliance and Pallas did, he running or bringing too close to the wind for his pilot schooner, by which he missed the opportunity of engaging, as he could have done, with the Alliance and Pallas, the enemies during day time, when he might have better seen the enemies position and force,—that during the chase he made no signal whatever to be perceived by the Alliance, and when she went to speak to him he avoided her, thinking the enemies much inferior than they were, and that he could reduce them by giving them each a broad-side, without the help of the Alliance,—that he took the worst position to attack the enemies, going on the bow of the headmost of them, though he saw the Alliance placed on their quarter, which was the best one to begin the engagement in,—that he bore his ship head-long upon the enemies broadside, which took advantage of his blunder, raked him in such a manner that his ship was disabled and disordered, the crew much lessened, and the remnant left their quarter in a short time, without having done any damage to the enemy, not having been in a position to fire at him,—that the Alliance began at same time he did, to engage the Countess of Scarborough (where, had she remained all the engagement long, she could not have been censured therefor, as no signal was made to the contrary, not even to engage) for twenty minutes with such advantage, that the latter to avoid the continuation thereof, by the smoke unperceived, filled her sails and got ahead, that the Alliance seeing it, filled hers, had main and foretack on board, leaving the Pallas, which was too dull sailing ship to get ahead, to engage the Countess of Scarborough, and went, seeing it immediate necessity, to the assistance of Capt. Jones, who must have been in that moment absent, since he did not make a signal for it,—that by the only advantageous manœuvre, by which the Alliance raked the Serapis the first time, she was almost as disabled as the Bon-homme Richard, and must have lost many of her men.—that the Alliance, in the position she was then in, could no better manœuvre, to insure the victory against the common enemies, than to make the Countess of Scarborough strike as she did,—that the Alliance went after as fast as possible, and raked from head to stern the Serapis a second time,—that with the same diligence she ran a tack and went to rake so effectually the Serapis a third time, that she struck, by which Capt. Jones was delivered from the inevitable sad fate he could expect in falling in the English hands,—that after all this, Capt. Jones, to answer his purpose, had the Bon-homme Richard sunk, because, had she been brought in, it would have been a palpable witness against him. Had Capt. Jones owned all those truths, he would have been despised for his ignorance, and called to an account for his conduct and confusion in all those cases (not to say worse) during the action, by which he had so many mens' lives lost, and must have lost more still in the action and his ship, had not the Alliance, by her superior manœuvre, in taking all possible advantage over the enemies position, rescued him by reducing them, as she did without losing a man : but Capt. Jones was wonted, when guilty, to lay his faults on others, invented all to clear himself and charge me, knowing he was in the secret of the concerned, which must have paid for the Bon-homme Richard had she been proved to have been lost by his faults, therefore he knew, had they had no previous designs against me, they would, to save their money, support him with all their power and influence.

However, thinking that his Excellency Benjamin Franklin, Esq; would have charged me with disobedience of his orders had I not gone, as ordered, to Paris ; and his Excellency and Mr. de Sartine the French Minister, would have made it appear in the world, that I was really guilty, since I would not go there to justify myself : and on the other hand, being conscious of my dutifulness in all respects, and persuaded that I must not only be justified, but applauded for my conduct ; not considering enough that it is not sufficient to be innocent and dutiful therefor,

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but there is another condition of absolute necessity, which is the impartiality in the judges, which I could have no reasons to expect; preferring even to be a victim, rather than to appear guilty, I determined to go, and in consequence had the undeniable certificate of my conduct by all the officers, some my known enemies, all Americans, to whom I repeatedly told not to sign any thing but that they were certain of. I ordered, by a written order to the First-Lieutenant, to keep the command of the Alliance during my absence.

I went to the Helder, where I tarried three days, to have from Capt. Cottineau a certificate of my answers to him, when he came to tell me to go on board the Bon-homme Richard; but Capt. Cottineau being so sick that his life was despaired of, could not give it to me then. During the time I was there, Capt. Spencer, who had been volunteer on board the Alliance during the last cruize, brought me word that Capt. Jones appeared to use his usual tricks in bringing every one he could to sign a pack of his forged charges against me; that he told the officers he had wrote to Paris, and silver-handle swords would be sent for them. He made some of his Midshipmen Aid-de-camps on board his ship; promised that he was going to sell the Serapis and Countess of Scarborough to let them have money, &c. &c. Finally, he promised promotion at random, even gave a commission and the command in chief of the Alliance to the First-Lieutenant Mr. Degge (whom I had given my last order to) as follows, viz.

“ *The Hon. John Paul Jones, Esq; Commander in Chief of the American Squadron, now at anchor at Texel, &c.*

“ *To Lieut. James Degge,*

“ *By virtue of the authority vested in me by Congress and by his Excellency the American Ambassador at the Court of France, you are hereby required and directed to take upon you the command of the Continental Frigate Alliance.—You are to do and perform all manner of things whatsoever belonging to that important trust; and I do strictly charge and require all officers and men belonging to that ship, to pay due attention to their duty and prompt obedience to your orders.—You are to prepare the ship for service with all possible diligence, and give to me a demand immediately of the stores and provisions that may be necessary for two months, exclusive of what now remains on board. It shall be my care, by every means in my power, to procure and realize to every person under my command, his property in the Serapis and all other prizes which we have taken, and therefore I wish to know what steps the majority think most expedient, that I may govern myself accordingly in the instructions which I may give in that respect; and the men who have families in America, may depend and be assured that I will do my best to procure them the means of returning home. In the mean time it will give me the truest pleasure to promote their interest and happiness.*

“ *Given on board the ship of war the Serapis, at anchor at the Texel, the 21st day of October,*
 1779. (Signed) JOHN P. JONES.
 “ *A true copy of a copy taken from the original, which was read to the people the 17th of June,*
 1780. (Signed) N. INGRAHAM.”

But Capt. Jones left the command of the Alliance only till he had made Lieut. Degge and some others sign his charges against me; after which he told Lieut. Degge he had omitted to mention something in his commission, to return it to him to insert it; but when he had it he kept it, and took himself the command of the Alliance, by which the tricks of Capt. Jones to seduce men may be known.

I went to Amsterdam, where I staid until I could obtain money to proceed with to Paris, which was seven days; during which time Capt. Spencer came from on board the Alliance
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and brought me the following mark of the Alliance's crew's justice toward their Captain, tho' they were never prompted to do it, or had any expectation of seeing him after, which they had wrote to Dr. Franklin, viz.

" May it please you Excellency,

" To bear the humble representation and petition of the Mariners and Marines on board the Continental ship Alliance.

" Honored S I R,

" We have been surpris'd with the information that our honored commander, Peter Landais, Esq; has been impeach'd of cowardice to your Excellency, relative to his conduct on the 23^d day of September last.—We would beg your Excellency's indulgence while we humbly represent, that we conceive it don't become us to enter into the particulars of his conduct, yet we would wish to say, the said Peter Landais, Esq; behaved through the whole of that day, and especially in the time of the action with his Britanic Majesty's ships the Serapis and Countess of Scarborough, with the utmost magnanimity, prudence, and vigilance of a wise and resolute commander, and that he took all the possible methods in so calm a time, and in the night, to distress the enemy, and to help our friend.

" Therefore we flatter ourselves and trust, that upon an impartial investigation of his conduct, these things will appear so plain to your Excellency as to remove all the dishonorable aspersions of the malignant.

" We would further beg your Excellency's clemency while we say we humbly conceive almost all of us have long since fulfilled our obligations to the said ship Alliance, and we look upon it a great hardship that we are detained in a foreign country on board the said ship, and should think it an addition to our present uneasiness to have a new commander appointed over us.—We would humbly pray your Excellency to consider our long absence from our distressed country and families, many of us by a tedious confinement in a British prison; and if it should appear consistent with your Excellency's duty, and the interest of our country, that you should order us home, where, we humbly conceive, our suffering country may receive much greater service from your Excellency's and our country's devoted humble servants,

Paul Noyes,
Robert Embleton,
Elias Hasline,
Alexander Anguish,
James Colliton,
Robert Calder,
John Marx,
Samuel Bazel,
John Keily,
John Thomas,
Nathaniel Warner,
John M. Blain,
James Young,
Alexander Taylor,
William Cunningham,
Charles M. Chauncy,
John Leak,
Samuel Getchell,

Nicholas Wordbury,
James Bowird,
Henry Wrightington,
Charles Howard,
John Bagram,
James Power,
Thomas Watch,
Michael Baptist,
John Dimond,
Charles Fortes,
John Springs,
Joseph Still,
George Ferwick,
John Kelly,
James Poor,
Gillam Fell,
John Orr,
Ebenzer Litchy,

Joseph Frederick,
George Allen,
Jacob Nutter,
Arthur Bennett,
Adde Fazen,
Joseph Blazet,
Richard Owen,
William Stooper,
James Dickason,
Joseph Sticker,
Thomas Bailly,
Nathan Porter,
Ebenzer Brown,
John Simpson,
William Shackford,
Thomas Mitory,
John Smith,
Thomas Lewis,

Daniel Bamstick,
John Forester,
James Mozan,
Samuel Dale,
Ebeneszer Edwards,
Joseph Mazary.

Daniel Jackson,
William Bocks,
John Pare,
John Rick,
Joseph Shillakozu,
Benjamin Youlin,

We whose names are here written, do attest this is a true copy.
Nathaniel Ingraham,
John Spencer.

P. S. We, whose names are above, can attest, from the common conversation on board the ship, that the foregoing sentiments expressed, are the sentiments of all in our rank on board, but the shortest of the time, the business of the ship, many sick, and many on board Captain Jones, is the only reason why more have not affixed their names. On board the Alliance, Texel, Oct. 23, 1779.

This number may be called the whole crew left on board ; for if added to them 27 sick, 30 on board the Serapis, all the officers, petty officers and the men, put on board the prizes, it will amount to very nigh the whole crew the Alliance had on board when she sailed from l'Orient.

Whilst I was in Amsterdam, it would have been easy for me to overset Capt. Jones's pretended glory, as well as his and others plan to injure my character, by having had printed and published there the sketch, relation and certificate, signed by all the officers of the Alliance, relative to the engagement of the 23d September, 1779 ; but I was too confident that his Excellency Benjamin Franklin, Esq; would never contradict such evident proofs of my conduct, to think it necessary ; besides, I thought his Excellency the only one I was accountable to in Europe, having wrote to me to go to him for justice, which could not be refused me, it would have appeared as a distrust in me of his equity, by making the public of a foreign country the first judges, of which he might have made a charge against me, as having by it promoted controversy in Holland, though Mr. Dumas had told me Dr. Franklin's order against any difference whilst there ; therefore too much delicacy prevented me to take the only step to be taken against such men as I had to deal with.

I arrived at Paris November 8th, and went directly at Passy to see his Excellency Benjamin Franklin Esq; and told him I was ready to answer all charges laid against me : he not expecting me was surprised, unprepared, and knew not what to answer, at last he told me he had yet no charges against me, but he expected them soon (by which answer it appeared that he had recommended Captain Jones to make charges against me, or Captain Jones must have wrote to him, that he met with difficulties to make any, or to bring people to sign them) I told him I was astonished, that he had ordered me to leave the command of the Alliance in a foreign country, and make me come from Holland to Paris, before he had any charges against me, he replied they would come, and not knowing what to say, he added, I have only Captain Jones's relation : I asked him whether he had not received also the relation, sketch, &c. of the battle I had sent him, he said he had : he told me he had wrote me to come only by the French Minister's desire, and I had better go and see him ; I asked him what I had to do with the French Minister, and whether he was also the United States' Minister ; he giving me no answer, I told him though I was answerable to nobody but himself, since he directed me to go to the French Minister, I would go.

Being at the French Minister Mr. de Sartine's hotel, his swive or porter at the gate, told me the Minister was busy, I went into the house and wrote to him that, as soon as arrived from Holland, by his Excellency Benjamin Franklin, Esq's order, I had been to see him, that he had told me it was by the desire of the French Minister he had wrote me to come, and had directed

rected me to come and see him, in consequence thereof, I was come directly, and waiting for admittance to hear what he had to tell me : M^r de Sartine sent me word that he was very busy for the present moment, but would write me as soon as he could, when to come.——He has never done it.

Next Monday after I went to Passy, to enquire whether his Excellency Benjamin Franklin, Esq; had received the said charges, he said he had not, but his grandson coming in the next instant after, having not heard his grandfather's answer, hearing me mention charges, said that some were in his office ; the grandfather rebuked him and said it was not those ; upon which I said it was very strange, after having been ordered, as I was, to come to answer charges laid against me, when arrived, there was none ; and after they were come, though I was upon the place ready to answer them, they were kept from me, and I was told there was none, which looked as if his Excellency wanted to keep me from the Alliance : he gave me a written order to remain in Paris, and told me to come again the next Monday.

Being there, I found assembled with his Excellency Benjamin Franklin, Esq; Doctor Pengraff, (one of his Excellency's secretary) and Mr. Le Ray de Chaumout ; his Excellency told me verbally there were the four following charges against me, viz.

First, Disobedience of orders.

Second, Of having fired on the Bon-homme Richard during the engagement on the 23d September.

Third, Of having not assisted the Bon-homme Richard as soon as possible.

Fourth, For having not taken the fleet the next day after the engagement.

I observed to his Excellency Benjamin Franklin, Esq; that there was no body competent judges of those charges, as the first one depended whether I had obeyed his orders literally ; and the three others required sea-officers to understand the nature of the case, and judge whether I had done, or not, all that could be done in these cases, for the best ; however, that for his satisfaction I was going to answer every one of them.

To answer the first article I showed the order to me of his Excellency Benjamin Franklin, Esq; dated April, 28th, 1779, by which, "*He ordered me to put my ship and myself under Capt. Jones's command, being my senior officer, for a cruize only, till my return to France.*" I said agreeably to that order, I had been on a cruize under Capt. Jones's order, he being on board the Bon-homme Richard, and obeyed him until my own and his return to France, in Port l'Orient, where by the purport of said order ended his command over my ship and me : his Excellency replied it could not be called a cruize out of France, because we had cruized then only in the Bay of Biscay, which was called the French sea ; I told him he might give what interpretation he pleased, but there were English men-of-war and privateers to cruize for, as well as in the channel, and that in his order he had not mentioned any particular place to cruize in, I could not know whether he intended, or not, any other cruize at that time, and therefore having cruized there under Capt. Jones's order, where he laid me, I had fulfilled literally the contents of his Excellency's order : his Excellency insisted by similar reasons, that that cruize was no real cruize ; I told him it appeared he was determined to find me guilty, even against his own hand writing proofs to the contrary, and that all which had passed, and that I had heard, convinced me of what Capt. Jones had told me, on the 25th September 1779, that his Excellency had given him power to take the command of the Alliance from me, when at l'Orient : and he had not told it to me only, as will appear by the following certificate, viz.

" I the subscriber do affirm that I have heard Capt. John Paul Jones say, that he had it, in his power to displace Capt. Peter Landais from his command on board the ship *Alliance*, and that Dr. Franklin had wrote to him, giving him power to name another Captain for that ship while he lay in l'Orient. This he said on board the *Serapis*, in the *Texel*, in or about the month of November last. I likewise remember to have heard him say words to the same effect on board the *Bon-homme Richard*, one evening, at sea, on or about the month of September last".

(Signed)

" N. BLODGET, Purser of the *Alliance*."

" l'Orient, May 12, 1780."

His Excellency Benjamin Franklin, Esq; denied the fact, and that Capt. Jones could not have said any such thing, and that I wanted to reflect upon him ; to put an end to that charge, I showed his Excellency's order to me, dated " Passy, July 28th, 1780," in which there was nothing mentioned that I was, or should be, in any case, under Capt. Jones's orders, but it was said, " But in case the *Bon-homme Richard* was not ready to sail with you, what Mr. de Chaumont will inform you, then go to cruise in the North Seas, by such route you will judge proper for intercepting the Northern trade to England, &c." as I have before mentioned speaking of my departure from l'Orient. That according to his orders, I had applied to Mr. de Chaumont, and enquired whether the *Bon-homme Richard* would be ready to sail with the *Alliance*, that he had given me such answer, as is certified by him heretofore (which he repeated before his Excellency) that I had told him I was not under Capt. Jones's orders, by those he had brought me from his Excellency ; that Mr. de Chaumont had directed me to ask Capt. Jones a copy of his Excellency's orders to him relative to the *Alliance* or me ; that he had given me thereof an extract, which I produced to his Excellency (of which a copy is heretofore) wherein the *Alliance's* or my name is not mentioned ; that I then told Capt. Jones I was not under his orders, by those I had from his Excellency, to which he said not a word.

That I sailed out of port l'Orient to Grois alone, not knowing when the *Bon-homme Richard* could be ready for sea, if ever she was ; that he came there after, where Capt. Jones told me he was going likewise, in the North-Sea, where Commodore Johnstone was cruising, and said we had better go together, which I agreed to, thinking it for the good of the service, and not derogatory to his Excellency's order to me ; that in consequence the last rendezvous for the cruise was agreed and given to be off Flamborough-head, and a concordat drawn and signed in case of taking any prizes whilst in company together (new proof I was not under Capt. Jones's orders, as he knew there was no need thereof had I been so.) But being off the coast of Ireland, where it was proposed to go or send in Limerick river ; and upon which coast we remained seven days. I told him, I not being under his orders, if he intended to tarry or land there, I would go alone to cruise, as ordered by his Excellency ; that Capt. Jones then pretended his Excellency's orders to me were of no force, and that I was directly under his immediate orders, though he never offered to justify it by giving me a copy of any order he might have had from his Excellency for that cruise concerning the *Alliance* or me, and even would never give me written orders therefor, though I demanded them several times, as I had a right to, and could not remain under his orders when they were contrary to those I had from his Excellency (he knew better than to give me written orders to follow him in his intended landing, &c. as he had no right to do it) therefore, being parted after, by stress of weather, in consequence of his Excellency's order to me, the *Alliance* had cruized and done alone far more harm to the English trade than all the ships with Capt. Jones together, and I had fulfilled literally his Excellency's orders to me for that cruise.

His Excellency insisted I was under Capt. Jones's orders by his to me, and even as being my senior officer: I related that (which I have mentioned heretofore) of the Captain of the Continental Frigate called the *Queen of France*, who was condemned, suspended, and his command took from him for having followed his senior officer, in the Frigate *Warren*, in Boston, as an instance how a Captain was liable to suffer when he broke superior orders to follow any senior officer's to the contrary: I added there was another proof in his Excellency's orders to me that I was not under Capt. Jones's, because he intended to land at Shetland and other places, did never cruize, and met only accidentally the Baltic fleet off Flamborough-head (where the Alliance had been cruizing three weeks) as he came there but the very same day that we saw and engaged them, &c. having been all the while to try to land upon the coast of Scotland, without effect: and that in the orders from his Excellency to me, it was expressed that I was to cruize in the North Sea, for intercepting the Northern trade to England, which proved those orders to me quite different from those of Capt. Jones. His Excellency replied, that the word cruizing implied as well landing as remaining at sea; I told him I never understood it so, but it was crossing to and fro in a station given: he maintained it was not. I begged to have a Dictionary, which was at last procured me, wherein I found and showed his Excellency the word cruize was explained much like what I had said: his Excellency said it was a mistake of the Printer. What can officers do who is subject to receive orders from a superior, who, out of partiality, uses such subtleties to find him guilty? I could not help telling him that it was not my fault if there was such mistake in the Dictionary, and if he had fully explained his intention, I would have done my utmost to fulfil it; and I made this observation—supposing that your Excellency had died, and in the mean time, in following Capt. Jones, in landing without a pilot, I had, by accident, lost the Frigate *Alliance* on a rock, &c. and begged his Excellency to show me, in his orders to me, a word which would have justified me before Congress for losing their Frigate in following Capt. Jones: his Excellency knowing he could find none, said not a word. If I had followed Capt. Jones, as he wanted me, it would have been easier for his Excellency to prove I had broke his orders in following him.

Having proved obviously I was not under Captain Jones's orders, and had fulfilled his Excellency's to me, I proceeded to the second charge against me viz. “*Of having fired upon the Bon-homme Richard on the 23d September, 1779.*” By shewing his Excellency the sketch, relation, and certificates of that engagement, signed by all the officers of the Alliance, which he could not suspect to have signed it in my favour, knowing they had been at variance with their Captain ever since the beginning of the voyage; I explained all the positions, evolutions and motions of every ship, and all the faults of Capt. Jones, as I have done heretofore in giving the sketch, &c. His Excellency, who had listened attentively, all the while, said after I had ended, I might through mistake, have fired upon the *Bon-homme Richard*; I answered, admitting that for a moment, it would not be a guilt in me, but only a mistake, which might have happened in the night: since it happened even in day time in Admiral Keppel's fleet, when engaged against Admiral Count D'orviller's, and nothing was said about it more than that it was a mistake. But it was not the case in our engagement, as I showed him, a second time, by the officers certificate, where it is said, “*As there could be no mistake made, seeing the colours of the ships, &c.*”——But Capt. Jones charged me with it to cover his compounded faults and blunders, by which he had lost so many men, which he could not account for; and in that case as all others, to extricate himself, he wanted to charge me with their blood. I went further, saying, if I had been black minded enough to have Capt. Jones, his ship and crew destroyed, I had only to stay astern in my station with the Countess of Scarborough, the enemy would soon have

have accomplished it, and no body could have blamed me, as I would have been in my station : moreover, if by a refined treachery, and blackness of mind, which can never be imagined, but by those who are capable of perpetrating such a deed, I had been willing to destroy Captain Jones, &c. as hinted by him : as I did not myself fire a cannon, I must have told the officers of my black design, which would not have failed to take the command from me and put me in irons therefor ; but supposing further, I had seduced or bribed the officers to have done it, would the Gunners and all the crew have obeyed them in firing upon their American brothers on board the Bon-homme Richard ? His Excellency said it was not likely ; then said I, since Capt. Jones is capable of devising such charge against me, to justify himself and appear mighty and glorious, after having been released by the Alliance from the sad fate he was so nigh falling into, it may be imagined what he is capable of.

I proceeded to the third charge against me, “ *Of not having assisted the Bon-homme Richard as soon as possible.*” I said, supposing that the Alliance had remained all the engagement long, in her station, without giving any assistance whatever to the Bon-homme Richard, she could not have been blamed therefor, having done that duty of hers, as no signal for preparing engaging the enemies, and assisting the Bon-homme Richard, were seen from the Alliance : but instead of that, having been first to take her station on the weather-quarter, at two muskets shot distance from the enemies ships, she began to engage with the stern-most of them, at the same time the Bon-homme Richard and Serapis began together ; and as soon as the Pallas was come down, she left her, being a dull sailing ship in a light wind, to engage the Countess of Scarborough ; and she, the Alliance, went with all possible speed, to the assistance of the Bon-homme Richard, which by her bad conduct in the attack, had been almost totally destroyed ; and the Alliance, without any signal being made, by her good manœuvres, during the whole engagement, reduced both the enemies ships to surrender, as is proved by the sketch, relation, and certificate of all the officers of the Alliance, by which she did not only her simple duty, but all that could be done ; all which corroborates with the two English Captains letter to the English Admiralty (to be found in the English Magazine, for October, 1779) in that one of Capt. Richard Pearson of the Serapis, it is said, “ *At the same time the largest of the two Frigates*” (which he says after was the Alliance) “ *kept sailing round us the whole action and raking us fore and aft, by which means she killed or wounded almost every man on the quarter and main decks.—When the Frigate coming across our stern, and pouring her broad-side into us again, without our being able to bring a gun to bear upon her, I found it in vain, and in short, impracticable, from the situation we were in, to stand out any longer with the least prospect of success ; I therefore struck.*”—By which it appears, that that Captain owes the Alliance killed and wounded almost every man on his main and quarter decks, and at half past ten, the said Frigate came across his ship’s stern and poured her broad side into it, without his being able to bring a gun to bear upon her, which is a full apology of the Alliance’s conduct, as she not only destroyed all those which were destroyed, but conducted it in such manner that the Serapis could not hurt her, and the Serapis could stand it no longer and therefore struck.—Captain Thomas Piercy, of the Countess of Scarborough, in his letter to Captain Pearson, says, “ *About two minutes after you began to engage with the largest of the enemy’s squadron, I received a broad-side from one of the Frigates, which I instantly returned, and continued engaging her for about twenty minutes, when she dropt stern ;*” which Frigate could be no other than the Alliance, as the Pallas came down after,—“ *And another Frigate coming on my larboard quarter. In that situation, I saw it was in vain to contend any longer, with any prospect of success against such superior force, I struck to the Pallas.*”—Being engaged with the Pallas, it could be no other than the Alliance, after having raked the Serapis, who coming upon the larboard

board quarter of the Countess of Scarborough to rake her, made her strike to the Pallas she was engaged with, therefore the Alliance made no motion whatever during that action. But great advantage to her party was reaped by it.—But if the Alliance had bore head-long upon the Countess of Scarborough's broad-side, she would have been served by her, as the Bon-homme Richard had been by the Serapis; but thinking her duty was to destroy the enemies as much as she could, with as little loss as possible, she in consequence thereof, took so well the advantage of every position, that she contributed in a great degree, to the success of the battle, without having a single man killed, which conduct Capt. Jones wanted to make appear to his advantage, because she had been so successful.

His Excellency saying nothing, I proceeded to answer the fourth charge against me, "*Why I had not gone and take the fleet the next day after the engagement,*" saying that when I sailed from l'Orient, the whole crew of the Alliance was composed only of two hundred and twenty men in all, out of which the Alliance had manned five prizes she had taken. That as soon as the Serapis had been abandoned, going towards the shore, Capt. Jones sent word to the Alliance to go and take the prisoners out of the Serapis, which she did, and took her in tow to draw her from the land, and put forty of her men on board; that the weather being very foggy when she saw the other ships, the Bon-homme Richard showed a signal to send to that ship both her men and people, that the Alliance sent all her boats and all the men she could spare, keeping not above sixty men of her crew on board, although she had two hundred and twenty-five prisoners to guard; that the fleet was out of sight, consequently she was not in a situation, without boat, and with so few hands, to go in search of them; beside, Capt. Jones never made a signal therefore to the Alliance, nor to the other, though they were more able, the Vengeance having her whole crew to do it; therefore the Alliance was in the impossibility of doing better in this case, as well as in all others.

I told his Excellency that out of complaisance I had enumerated all the motions of the different ships to him, but as he was not, perhaps, conversant with the nautical tactick, as he had the copy of the sketch, relation, and certificate of the officers of the Alliance, he might carry it to Versailles and ask Mr. de Sartine to have a number of sea-officers (as there were no Americans to be had) to examine it, and if they said the Alliance had not done during that engagement all she could do, I would look upon myself as condemned, knowing the French officers were men of honor who would not condemn me unless they found some fault in my conduct: his Excellency expecting, I suppose, some fault or other might be found in it, accepted the proposal, and it might have been examined for all I know, but some time after (as he always found some evasion for prolonging the time, before I could have made my defence, by giving time to Capt. Jones to sail in the Alliance; one week he had the gout, another he was indisposed, others he was very busy, &c.) his Excellency told me he had carried the said sketch, relation, &c. to Versailles, and had asked the French Minister, Mr. de Sartine, to have it examined by some French sea-officers, but he had refused to have it done.

I must observe here by the bye, that it appeared to me very surprising that Mr. de Sartine, who earnestly wrote to his Excellency to have me brought to an account for my conduct during said engagement, would refuse to have the proper voucher thereof examined. It increased in me the following suspicions which were, that Mr. de Sartine who was the cause of my leaving the French service, was apprehensive (my character being well established, as may appear even in a London magazine, December 1779. *In the justifying memorial of the King of Great-Britain, page 538, where it is said, the ship Heureux (called after Flamond) sailed from Marseilles, the 26th of September, &c. this ship is commanded by Mr. Landi (instead of Landais) a French officer*

of distinction, formerly a Lieutenant to M. de Bouguainville ! that I might do something in the Alliance, which could have brought upon me the public approbation, and upon him this reflection of his enemies in France ! that I should have been yet in that service, had it not been for him ; for which he had formed the plan of destroying my character, and have me drove out of the United States' navy, in the first place ; in the second, that Capt. Jones who was very likely in the secret of the concerned, must be countenanced and supported in his relation, &c. as he might disclose what he knew ; and if the truth came to light, the concerned might have paid for the Bon-homme Richard : on the other hand, his Excellency was not, perhaps, unconcerned for the concerned, in the first place ; in the second, he might have took it for sound policy to sacrifice my character to the French Minister's plan, and satisfy himself in taking the command of the Alliance from me, and giving it to Capt. Jones, as he had already (according to Capt. Jones's report) empowered him to take it from me, when at l'Orient, before the second cruise : besides, as I have learned since, that orders of Congress had been sent to him, March 1779, to pay me the sum of twelve thousand livres gratuity for bringing said ship from Marseilles, which he never did, he might have had some private views on that account, and if he succeeded in preventing my return to America, I might die, without learning what Congress had done for me :—Mr. le Ray de Chaumont, who was the American and French Minister's agent, in fitting out the vessels at l'Orient, and who was called in by his Excellency to hear my defence, was likewise in behalf of the concerned, and intrusted with the Minister's plan : Their common plan and interest was intrusted, by all appearance, to Capt. Jones, to be put in execution, who having been brought up in controversies with justice, was capable, by his usual tricks, of doing it, without any fear that his delicacy could obstruct his ambitious views, which was easy for him, as he knew he must be seconded by my judges in destroying me, or must and would at last fall by justice, and drag with him his abettors.

Having received advice from Amsterdam, which was confirmed by Mr. de Chaumont, that Capt. Jones had the command of the Alliance, I begged as a favor from his Excellency Benjamin Franklin, Esq; to let me know and show me the right he had to take from me the command of the Alliance, given me by Congress resolve, and give it to Capt. Jones ! He answered he would be accountable for it to Congress. I must say again, what can an officer do who is under a superior, who make such abuse of the power intrusted to him, to destroy one out of partiality, against all justice, to favour another ?

His Excellency brought in a pack of charges made against me, containing twenty-five articles, which he had kept till then, from me ; I told him before I looked at them, that I had answered every one of those articles, which deserved to be answered ; as I had proved I was not under Capt. Jones's orders ; that I had fulfilled his Excellency's order to me, and that the Alliance had effected, during the engagement and after, all she could, for the good of the service ; nevertheless, I would answer them ; they were as follow :

" We the officers, &c. &c. of the American Squadron, now at the Texel, this 30th day of October, 1779, do attest and declare on our word of honor, that all the following articles which we subscribe, respecting the conduct of Peter Landais, Captain of the American Frigate Alliance, are really and truly matters of fact, in witness whereof, we hereunto sign our names and qualities, and will at any time hereafter, be ready to prove the same upon oath, if required.

" Article 1st. The Captain of the Alliance did not take the steps in his power from getting foul of the Bon-homme Richard, in the Bay of Biscay ; for instead of putting his helm a-weather, and bearing up to make way for his commanding officer (which was his duty) he left the deck for to load his pistols.

" 2d. When in chase of a ship (supposed an English East-Indiaman) on the day of August, 1779, Capt. Landais did not do his utmost to overtake that ship, which he might easily have done before night; but put his helm a-weather and bore away sundry times in the day, after the Alliance had gained the wake of the chase and was overtaking her very fast.

" 3d. Captain Landais behaved with disrespect and impudence towards the commander in chief of the squadron, on frequent occasions.

" 4th. He disobey'd his signals.

" 5th. He very seldom answered any of them.

" 6th. He expressed his fears and apprehensions of being taken off the coast of Ireland, and insisted on leaving sight of it immediately, when we had cruized there only two days.

" 7. His separation from the squadron the first time, must have happened either through ignorance or design, because, though he had distinctly saw the signal for the course before night, yet he altered it first two, then four points of the compass before morning.

" 8th. His separation from the squadron the second time, must also have happened through ignorance or design, because the wind being at N. W. and the other ships, to his knowledge, laying to, and being a-stern of the Alliance, what less than separation could be the consequence of his obstinacy in ordering the weather main-brace to be hauled in, and the ship to be steered S. W. and S. W. by S. in the trough of the sea, which was done from ten at night till morning; and he would not then permit the ship to be tacked in order to join the squadron, as was proposed to him by the officers.

" 9th. On the morning of the 23d of September, when the Bon-homme Richard, after being off the Spurn, came in sight of the Alliance and the Pallas off Flamborough-head, Capt. Landais distinctly told Capt. Cottineau that if it was, as it appeared, a 50 gun ship, they must run away, although he must have been sure that the Pallas, from her heavy sailing, must have fallen a sacrifice.

" 10th. In the afternoon of the same day, Capt. Landais paid no attention to signals, particularly the signal of preparation and for the line, which was made with great care and very distinctly on board the Bon-homme Richard.

" 11th. Although the Alliance was a long way ahead of the Bon-homme Richard, when bearing down on the Baltic fleet, yet Capt. Landais lay out of gun shot to windward, until the Bon-homme Richard, passed and closely engaged the Serapis, and then instead of coming to close action with the Countess of Scarborough, the Alliance fired at very long shot.

" 12th. He continued to windward, and a considerable time after the action began, fell astern and spoke the Pallas, leaving the Countess of Scarborough in the wake of the ships engaged, and at free liberty to rake the Bon-homme Richard.

" 13th. After the Bon-homme Richard and Serapis were made fast a long side of each other, as in the margin, (which was not done till an hour after the engagement began) Capt. Landais, out of musket shot, raked the Bon-homme Richard with cross-bar and grape-shot, &c. which killed a number of men, dismounted sundry guns, put the side lights out, and silenced all the 12 pounders.

" 14th. The Alliance then ran down towards the Pallas and Countess of Scarborough, that were at that time engaged at a considerable distance to leeward of the Bon-homme Richard and Serapis; and Capt. Landais hovered about there out of gun-shot, and without firing, till some time after the Countess of Scarborough had struck, and then bore down under his top-sails, and spoke first the prize, and then the Pallas, asking a number of questions.

" 15th. At last Capt. Landais made sail under his top-sails to work up to windward, but made tacks before he (being within the range of grape shot, and at the longest three quarters of an hour before the Serapis struck) fired a second broad-side into the Bon-homme Richard's larboard quarter, the part whereof was fired when the Alliance was not more than three points abaft the Bon-homme Richard's

Richard's beam, although many tongues had cried from the Bon-homme Richard that Capt. Landais was firing into the wrong ship, and prayed him to lay the enemy along side. Three large lanthorns with proper signal wax candles in them and well lighted, had also previously to his firing, been long over the bow-quarter, and waist of the Bon-homme Richard, in a horizontal line, which was the signal of reconnoitring and the ships, the one having a high poop, and being all black, the other having a low stern, with yellow sides, were easily distinguishable, it being full moon.

" 16th. The Alliance then passed at very considerable distance, along the larboard or off side of the Bon-homme Richard, and having tacked and gained the wind, ran down again to leeward, and in crossing the Bon-homme Richards' bow, Capt. Landais raked her with a third broadside, after being constantly called to from the Bon-homme Richard, not to fire, but to lay the enemy along side.

" 17th. Sundry men were killed and wounded by the broadsides mentioned in the two last articles.

" 18th. Capt. Landais never passed on the off-side of the Serapis, nor could that ship ever bring a gun to bear on the Alliance, at any time during the engagement.

" 19th. The leaks of the Bon-homme Richard increased much after being fired upon by the Alliance, and as the most dangerous shot which the Bon-homme Richard received under water, were under the larboard bow and quarter, they must have come from the Alliance, for the Serapis was on the other side.

" 20th. Several people on board the Alliance told Capt. Landais at different times, that he fired on the wrong ship, others refused to fire.

" 21st. The Alliance fired only three vollies, which within gun-shot of the Bon-homme Richard and Serapis.

" 22d. The morning after the engagement, Capt. Landais acknowledged on board the Serapis, that he raked each time with grape shot, which he knew would scatter.

" 23d. Capt. Landais has acknowledged since the action, that he would have thought it no harm if the Bon-homme Richard had struck, for it would have given him an opportunity to retake her, and to take the Serapis.

" 24th. He has frequently declared that he was the only American in the squadron, and that he was not under the orders of Capt. Jones.

" 25th. In coming into Texel, he declared that if Capt. Jones should hoist a broad pendant he would, to vex him, hoist another.

" Copy examined by me, (Signed) B. FRANKLIN."

" I attest the articles, 2, 4, 5, 10, 11, 15, 16, and 22, to be matters of fact, and I believe all the rest. (Signed) R. CORAM, Midshipman of the late ship of war Bon-homme Richard.

" I attest the articles, 2, 3, 4, 5, 6, 10, 11, 13, 15, 16, 17, 19, 21, 22, to be matters of fact, and I believe all the rest. (Signed) J. W. LYNTHWATE, Mid. of the late B. H. Richard.

" I attest the articles, 2, 3, 4, 5, 6, 10, 11, 13, 15, 16, 17, 19, 21, 22, to be matters of fact, and I believe all the rest. (Signed) J. MARANT, Mid. of the late B. H. Richard.

" I attest the articles, 1, 2, 3, 4, 5, 6, 7, 8, 10, 13, 15, 16, 17, 18, 19, 20, 22, 23, 24, to be matters of fact, and I believe all the rest.

(Signed) Lieut. Col. WIRBERT, American Engineer, and commanding officer of the volunteers on board the Serapis, late of the Bon-homme Richard.

" I attest the articles, 2, 3, and 11, to be matters of fact, and I believe all the rest.

(Signed) B. STUBBS, Midshipman of the late ship of war Bon-homme Richard.

" I attest the articles, 2, 3, 4, 5, 6, 10, 11, 13, 15, 16, and 17, to be matters of fact, and I believe all the rest. (Signed) T. POTTER, Midshipman of the late ship Bon-homme Richard.

" I attest the articles, 2, 3, 4, 5, 10, 11, 13, 15, and 19, to be matters of fact, and I believe all the rest. (Signed) N. FANNING, Midshipman of the late ship of war *Bon-homme Richard*.

" I attest the articles, 3, 4, 5, 10, 11, 13, 15, 16, 17, 19, and 21, to be matters of fact, and I believe all the rest. (Signed) T. LUNDY, Midshipman of the late ship *Bon-homme Richard*.

" I attest the articles, 2, 3, 4, 5, 6, 10, 11, 13, 15, 16, 17, to be matters of fact, and I believe all the rest. (Signed) B. GROUB, Midshipman of the late ship *Bon-homme Richard*.

" We attest the articles, 2, 3, 4, 5, 7, 8, 11, 12, 18, 20, and 21, to be matters of fact.

" N. B. The Alliance never passed on the off side of the *Serapis*. (Signed) { J. BUCKLEY, Master of the Alliance.
J. LARCHER, jun. Master's Mate of do.
J. DEGGE, Lieut. do.

" I attest the articles, 2, 3, 4, 5, 10, 11, 15, 16, 17, 18, 23, to be matters of fact.

(Signed) STACK, Lieut. in *Walsh's* regiment, and officer of volunteers on board the *Bon-homme Richard*, by a conge from Court.

" I attest the articles, 2, 3, 4, 5, 6, 10, 11, 13, 15, 19, 23, and 24, to be matters of fact.

(Signed) MACARTHY, officer of *Walsh's* regiment, and Lieut. of volunteers on board the *Bon-homme Richard*.

" I attest the articles, 11, 12, 14, 24, as the article 4, I know be refused to go on board the *Bon-homme Richard*; and as to the article 9, he told me if it was a man-of-war of above 50 guns, we had no other party to take but that of making our escape.

(Signed) D. COTTINEAU, de Kloguen, Capt. of the *Pallas*.

" I attest the articles, 2, 5, 11, 12, 20, 22, to be matters of fact.

(Signed) M. PARKE, Captain of marines on board the American Frigate Alliance.

" I attest the articles, 2, 3, 4, 5, 15, 16, 17, 18, 19, 21, to be matters of fact.

(Signed) R. DALE, Lieutenant of the late ship of war the *Bon-homme Richard*.

" I attest the articles, 2, 3, 4, 5, 11, 14, 22, to be matters of fact.

(Signed) H. LUNT, Lieutenant on board the late ship of war the *Bon-homme Richard*.

" I attest the articles, 2, 3, 4, 5, 10, 11, 13, 15, 16, 17, 18, 19, 21, to be matters of fact.

(Signed) S. STACY, Master of the late ship of war the *Bon-homme Richard*.

" Passy, Nov. 26, 1779, delivered to Capt. Landais, being a true copy, examined by me.

(Signed) B. FRANKLIN."

It must be observed, that though his Excellency had those charges against me long before, that he had never let me know it 'til then; but had examined me upon the four articles that contained them all, to which I had fully answered, so that it left no room for those articles to be brought in again,—that Capt. Jones had been a month misrepresenting facts, and having them signed by men who dreaded to be detected for having left their quarters during the slaughter made on board the *Bon-homme Richard* by the *Serapis* (as may be seen in Capt. Jones's relation) that the younger were brought to sign it first, with Lieutenant-Colonel Wirbert, who appears, nominally, detected in said relation; moreover, it appears that Capt. Jones had no real weighty charges to lay against me, since he invented or misconstrued trifling fact to charge me with; however, to leave no room for his Excellency to show he had a right to execute any plan against me, I made the following answers in writing.

" The following articles are the answers to the five and twenty articles made by Capt. Jones, and other officers, the 30th day of October, 1779, at Texel, respecting the conduct of Capt. Landais, Captain of the American Frigate Alliance, brought to him November 26th, 1779.

" The 1st. article has been answered and examined in a Court-martial, kept at l'Orient; for which the First-Lieutenant of the *Bon-homme Richard* was condemned and sent away by a second sentence.

" A2

"As to the helm, it was put a-weather, on board the Alliance, that was lying to, and the fore-top-sail, that was set on the cap, and lying a-back, it was filled; but the Alliance having no head-way, did not answer her helm, but she began to go a-head when she was boarded by the Bon-homme Richard, on her larboard mizen chains, or else she would have been boarded in her main chains.

"Capt. Landais thinking it was the Pallas, when at a musket shot off, hailed her in French, and told them to take care, they were coming on board of him, and he could not avoid it, for the Alliance would not steer, having no head-way: then he knew by the confused voices he heard on board that ship, that they spoke English, hearing no commander amongst the voices, and seeing that ship coming as designedly to board him, he imagined the Englishmen that were on board had revolted, and had got masters of the ship, and were coming down upon the Alliance, on purpose to run her over, and if not, to board and take her by surprise; he called Capt. Parke, who was but little way from him, asked him whether there was any musket loaded, and if he had the arm-chest key; Capt. Parke answered him no (all that passed in less than six minutes) in that instant the Bon-homme Richard boarded the Alliance, and the bowsprit of the former carried away the mizen-mast of the latter: Mr. Buckley asked Capt. Landais to hoist up the fore-top-sail, the Captain told him yes, and run up the gibb: Then Capt. Landais almost convinced of what he imagined before, seeing that manœuvre, confusion, &c. ran down in the cabin, and asked Jube (Mr. Blodget's negro) who was laying in the cabin, for his pistols; Jube told him they were in one of the trunks. Capt. Landais staid in the cabin only the time of asking the question, and having the answer, which did not last more than five seconds, and he went back immediately upon the quarter deck, the same way he had gone down, (by the larboard gangway, the companion being covered with the mizen-mast pieces and rigging) and did not load his pistols."

N. B I might have added that Capt. Jones in making that article, and saying with emphasis, "for instead of putting his helm a-weather, and bearing up to make way for his commanding officer, (which was his duty) he shows he knows no more the duty of an officer, under another's orders, than he knows how to command him; for an officer under orders is not to move his ship from the station she is in, until the commander has made a signal therefor, as the commander may have some reason to alter his own ship's position without any motion in the others; moreover Lieut. Col. Wirbert, the only one who signed that article, was in bed when that event happened, and sat in Court-martial, who laughed at Capt. Jones, when he wanted to charge me with it, which made him turn upon his First-Lieutenant, Mr. Robertson, to make him the victim of his own fault, who was unjustly condemned first to be suspended during twelve months, which first sentence Capt. Jones caused to be broke, and had him condemned by a greater injustice still, to be broke and rendered incapable to serve his own country, America; all which I was told by Lieut. Degge, who sat in said Court.

"Article 2d. If it is meant on Friday 20th, (astronomic reckoning) at 5 P. M. wind S. E. fresh breeze, saw six sails, one of which about two leagues East of us, bearing upon us, when the Bon-homme Richard made signal to chase her; then the ship that had bore down, came to; we chased her; at 12 o'clock found we gained the wind of the fleet, and also upon the chase, in whose wake we had been tacking about three leagues off her; the weather very hazy, the wind lulled a great deal, and came E. S. E. by which the chase that was before a-head of us, was two points windward; she appeared to be a large ship; we continued the chase, but as the wind lulled, we gained very little upon her, by the reason (I suppose) of her making more sail. After 2, A. M. the Bon-homme Richard, better than three miles leeward of us, made signal for forming the line of battle. As I was windward of her, and always master at any time to bear away in my station, I continued chasing; the wind very weak, at four, came East by South; then I began to bear away little; the chase being

yet above five miles distance windward, the weather so hazy that I could not distinguish what ship she was, seeing I could not come up with her before night, and the Bon-homme Richard falling leeward of us, which had made a signal not to lose sight of the fleet ; at 6 o'clock I bore right upon her ; at nine A. M. came up with her, told Capt. Jones I had been about five miles from the chase ; the weather being very hazy, I could not distinguish what she was, but she appeared to be a large ship, either a 54 gun ship, or a large East-Indiaman."

N. B. I could have added that if Capt. Jones had really a mind to know who she was, he should have ordered the Cerf cutter, a fast sailing and proper vessel for that purpose, to go and see who she was, which she might easily have done ; he should have ordered the brig Vengeance to keep between the Bon-homme Richard and the Alliance, to repeat the signals, and from one to the other, to the weather-moat, by which the signal might have been discernable ; but Capt. Jones had no notion of it, nor which vessel was fit to get better windward : but the Alliance had gained only four miles during ten hours of fresh breeze upon the chase, and could not gain five in two hours, being in the wind's eye, and in almost a calm weather, before night : moreover the wind had been easterly the four last days before, and there was some sea, in which the Bon-homme Richard could sail as well as the Alliance, for all that, the latter gained about four miles in the wind's eye, more than the former, which proves she did not her utmost to come up, as did the Alliance, with the chase.

" Article 3d. Capt. Landais would have kept always a reciprocal respect between Capt. Jones and him, had not Capt. Jones affronted grievously Capt. Landais several times, for which the last time Capt. Landais told him he would have him brought before a Court-martial."

N. B. I could have added that Capt. Jones had never asked me satisfaction for the disrespect and impertinence the Commander of the squadron pretended I had behaved towards him ; but to the contrary, he had refused meanly, when in Amsterdam, to give me satisfaction, though he had promised it, for his abusing me on board his ship, and to prevent my giving him his deserts, he thought it was an addition to his other motives, to charge me.

" Article 4th. He knows that when the Alliance was manning the prize Union, it blew so hard that Mr. Buckley who was sent on board of her, had the pinace upon the tackles of the said ship, and had the cutter with about thirty of the Alliance's men, and all the English crew drunk, on board, who threatened to get masters of the ship again ; when the Bon-homme Richard, who was doing nothing, made a signal to the Alliance to chase a brig that was about three leagues windward, which she could not perform, for her cutter came back a little before night, half full of water, and in great danger of being overwhelmed by the sea."

N. B. I could have added that it was the fault and only fault of Capt. Jones, if he did not go and take that brig with his own ship and the Vengeance, whilst the Alliance was manning the prize she had taken, but Capt. Jones wanted the Alliance to leave her boats and men, in danger of being lost by her, because he wanted to take out of said prizes valuable things he knew were there.

" Article 5th. He very seldom answered any signal, because he had but a very heavy St. George colour, till he took another out of the ship Betsey, but performed as fast as he could what the signal meant."

" Article 6th. He expressed only his dutifulness to the orders he had from his Excellency Dr. Franklin, which were not to cruise on the coast of Ireland, and was very sorry to stay there from the 23d in the morning, until the 27th August, at night, cruising on that coast."

N. B. Capt. Jones knew there was a fifty gun ship in Golloway-Bay, and there might be others thereabouts, who must have had an account of our forces by the people who had run away, and might have joined and come to destroy us.

Article 7th.

" Article 7th. The separation on the 27th August, of the Alliance and Pallas from the Bon-homme Richard, were owing to the storm and foggy weather ; for at 6 o'clock we all steered to the N. N. W. and until twelve saw false fire a-head, and I suppose Capt. Jones too good a pilot not to know there is two points of West variation there that made our course to be only N. W. which would carry us twenty leagues from the course we were to keep : when on board the Alliance we saw no more false fire ; I ordered at 3 o'clock in the morning (being peep of day) to steer to the North, and at 5 o'clock thinking the others had steered more towards the East, I ordered to go to the North by East, but saw none of the other ships until the 31st instant ; that we saw, chased, and made run away before us the Bon-homme Richard and Vengeance, from 4 o'clock in the morning until eight, that the Alliance knew the Bon-homme Richard, gave up chasing her, and all three gave chase to the Union, and the Alliance took her."

N. B. And I could have added by the different course the Bon-homme Richard and the Alliance kept, the latter gained above fifty leagues on the former towards Fair Island, where we were to go. Since the Alliance chased about ten leagues towards the West, after the Betsey ship, before she took her, and she was a whole day manning of her, during which time the Bon-homme Richard kept her course to the East, therefore there was no ignorance on the part of the Alliance's course ; but I leave to judge whether there was none on board the Bon-homme Richard for losing so much way by the course she kept. It was very strange that Capt. Landais was the only one charged of ignorance or bad design by Capt. Jones and all his abettors, when the Pallas was in the same case. I could have added further, that the Bon-homme Richard was the only one which was the cause of that separation, as the Pallas bore the light a-stern, and was the leading ship, and was followed by the Bon-homme Richard, which did not follow her, since they were parted, and the Alliance, which was the stern-most ship, was too far distant, to see the Pallas' light, to follow her ; therefore it was the fault of somebody on board the Bon-homme Richard, if we were all parted ; but Capt. Jones has particular reason for charging me, and no body but me : moreover, it must be observed that Lieut. Col. Wirbert, who was on board the Bon-homme Richard, signed this article, though he could not know what passed on board the Alliance, the others who signed that article had signed a certificate to the contrary, moreover I was not upon deck when it happened.

Article 8th. The separation on the 8th September, was owing to bad weather and accident ; for at 7 o'clock P. M. all the ships laid to, the head to the S. S. E. the wind at W. N. W. at half past six, the Bon-homme Richard had her main-tack put on board, besides her fore-tack she had before ; at 9 o'clock the wind shifted to N. W. the Captain ordered to keep the ship S. W. the Alliance saw but a light now and then, to which she answered, but no other signal was perceived ; Capt. Landais ordered to steer to the S. W. because the sea came from the W. N. W. and if he had kept close to the wind, he might in a high head sea, meet with some accident with his bowsprit, which lies so flat, that every great sea went over the bowsprit yard ; he had the ship steered to prevent this by preventing the great offing, in which heavy seas are apt to ship in ; seeing the other ships a-stern, he ordered the fore-top-mast-stay-sail to be lowered down, and the weather-main-brace to be hauled in, for two reasons, one to ease the main-yard and sail, the wind blowing very hard ; the other, to have the upper part of the main-sail shivering, not to work the ship a-head : we did not go into the trough of the sea, that came from the W. N. W. at day-light it was yet very squally until noon, and I expected always to see the other ships when clear weather, but since I have learned it was by accident I did not see them the next day ; that the Bon-homme Richard at 8 o'clock in the evening, had had her fore-sail split, and we saw no signal for that accident. At one o'clock the wind came N. N. W. ; the sea abated a little, the Alliance steered W. S. W. at 5 o'clock she steered West ; which course may

Now whether Capt. Landais intended to join the other ships. The *Vengeance* also parted the two others in the night. The same morning Mr. Buckley told Capt. Landais that the bolts that went through the stem and cut-water, had given way by the pitching of the ship, I had it secured as soon as the sea was smooth.

N. B. I could have added it was the fault of somebody on board the *Bon-homme Richard* not to make a proper signal when her fore-sail was split, by want of which the *Alliance* could not clue up, with prudence, her main-sail and remain under bare pole, to be boarded by the others a-stern. But Capt. Jones and his abettors charged me only of his own fault, though the *Vengeance* was also parted by it. It may be observed again that Lieut. Col. Wirbert, American Engineer, has signed also that article of what passed on board the *Alliance* that night and the day after being separated, though he was on board the *Bon-homme Richard* : I must observe that Lieut. Col. Wirbert was very likely forced some how to sign those articles by Capt. Jones, as he was the only witness who could understand English, in the poop cabin of the *Bon-homme Richard*, when Capt. Jones abused me there. Capt. Jones fearing that he might tell the truth on that account, could bring those two articles he had signed to prove he was not admissible to give his testimony in any case whatever.

“ Article 9^b. In the morning at 3 o'clock (of the 23^d September) being in sight of two sails who were the *Bon-homme Richard* and the *Vengeance* : the *Pallas* came and asked Capt. Landais if the largest was a sixty-four gun ship, if he would attack them ; Capt. Landais answered no, not even a sixty, and if she was above fifty he would have nothing to do with them.”

N. B. And I would have added that Capt. Jones even altered the deposition of Capt. Cottineau, given to him, saying that I told Capt. Cottineau that we must run away if it was a fifty gun ship ; though Capt. Cottineau told that I said we had nothing better to do than to make the best of our way, if she was above fifty ; which implies a sixty gun ship.

“ Article 10th. Capt. Landais indeed paid no attention to the signals made the same afternoon but to that of chase, for no other was seen from on board the *Alliance*.”

N. B. And I could have added that Capt. Jones and all his abettors, were no more tacticians than they were true ; for what can they mean by *the line* ? they could not pretend that wherever the *Alliance* was, she was not upon a line, as a line might be imagined from one of the ship to the other wherever they were, that proves even if the *Bon-homme Richard* had made a signal of a line indiscriminately to the *Alliance*, and she had seen it, it would have showed clearly that Capt. Jones knew not what he was about.

“ Article 11th. Although the *Alliance* got a long way a-head of the *Bon-homme Richard*, when bearing down on the Baltic fleet's convoy, and Capt. Landais brought to, windward about gun-shot, on the starboard quarter of the two English men of war, waiting for the *Bon-homme Richard*, until the *Serapis* and Countess of Scarborough, about 7 o'clock, wore and came to, lying on the larboard tack ; then Capt. Landais filled his top-sails to go and take the same position, upon the larboard quarter of the enemy's, as he had before on the starboard one ; at the same time to speak to the *Bon-homme Richard*, who was coming down, to know what mode of attack to make, accordingly the *Alliance* passing between the enemies and the *Bon-homme Richard*, hailed the latter, which did not hear or would not answer, and hauled her wind ; then the *Alliance* went two musket shot off, upon the larboard quarter of the enemy, where she was hailed by the Countess of Scarborough, and waited there for the *Bon-homme Richard*, thinking she would attack the enemy upon their quarter, but she attacked by the head, and at the same time the *Alliance* and Countess of Scarborough began to fire together.

N. B. And I could have added that by the fault of somebody on board the *Bon-homme Richard*, she did not come down to engage the enemy as soon as she could have done ; that the Alliance

Alliance was long before the engagement began, two musket-shots distance from the enemy, and had she ran head-long upon the Countess of Scarborough's broadside, as awkwardly as the Bon-homme Richard did upon the Serapis, she must also have been destroyed, our ships and the battle lost, with also many mens lives.

"Article 12th. The Alliance, Serapis, and Countess of Scarborough, were lying to when the engagement began; when the Countess of Scarborough found the fire of the Alliance too heavy for her, she filled her topsails, and by the smoke was not seen by the Alliance until some time after she was getting a-head; as soon as perceived, the Alliance's topsails were filled, and had her main and fore-tacks on board; the Pallas coming down was hailed; Capt. Landais told her to go and engage the Countess of Scarborough, who had raked the Bon-homme Richard; the Pallas desired Capt. Landais to give a broadside to the Countess of Scarborough, passing by her, which the Alliance did, and repeated all the time her guns could bear upon the said ship, and kept close to the wind, not knowing how the Bon-homme Richard and Serapis layed together, which put the Alliance in the situation of raking the Serapis."

N. B. I could have added that had the Alliance remained in her station, and continued to engage the Countess of Scarborough, no body would have blamed her; and the Bon-homme Richard must have soon struck to the enemy, by her not making a signal of assistance; but the Alliance seeing the bad situation she was in, by her own fault, had no need of signal to know what to do to rescue her, and of course did it.

"Article 13th. After the Bon-homme Richard and Serapis were made fast along side of each other, as in the margin (which was less than three quarters of an hour after the engagement began) Capt. Landais within musket-shot (for a Dutchman of the Alliance's crew had a musket shot from the top of the Serapis, through the brim of his hat, it must be from those then, for no small-arms, to my knowledge, have been fired besides those top ones, nigh enough to go through a round hat) fired a broadside, raked the Serapis with cross-bar and grape-shot, &c."

N. B. I might have added, by which broad-side she killed and wounded great many people on board the Serapis, as mentioned by the Captain of that ship: and if it had been an hour after the beginning of the engagement, the Bon-homme Richard should have been totally destroyed by the enemy before that time; however, it was before the Bon-homme Richard made any signal for assistance, that the Alliance rescued, out of her own accord, the Bon-homme Richard; and the Alliance did not fire at all upon her, which is certified by all the officers of the Alliance; and all the twelve-pounders of the Bon-homme Richard had been long before the Alliance raked the Serapis, silenced and abandoned, and the lights put out, as even acknowledged by Capt. Jones, in his own relation, which proves his falsehood in it, as in the articles he had signed by his abettors.

"Article 14th. The Alliance being already before the wind, ran direct to the Pallas and Countess of Scarborough, that were at that time engaged two-thirds of a gun-shot distance, by the lee bow of the Bon-homme Richard, and then did not fire at all, at the Countess of Scarborough, but went directly to rake her; when she saw their fire ceased, she hailed the Countess of Scarborough, who answered she was struck, then hailed the Pallas, who confirmed it, and worked the ship, that moment, to take the larboard tack, and had the main and fore-tack on board, the gibb and mizen-stay-sail hoisted up, but passing by the Countess of Scarborough, some of the Alliance's men asked several questions, and we did not lose an instant, but went close to the wind to assist further the Bon-homme Richard.

N. B. I might have said that Capt. Jones and his abettors invented not only common falsehood, in order to charge me, but they impeached me of impossibilities, for the whole engagement lasted only two hours and a quarter in very small wind. In their 13th article it is said, that

that the Alliance came to the assistance of the Bon-homme Richard only an hour after the engagement was begun : in their 15th article they say that the Alliance gave a second broad-side three-quarters of an hour before the Serapis struck ; there remains only half an hour's time to bear down the first time to rake the Serapis, to go down to the Countess of Scarborough and Pallas, engaged, as they say, at a considerable distance leeward of the Bon-homme Richard and Serapis, &c. to run close to the wind enough to gain windward of these two ships, to tack about, bear down again to give the second broad-side to the Serapis ; all which evolutions and courses, made with all possible speed, supposing the Countess of Scarborough and Pallas had been half mile leeward of the Bon-homme Richard and Serapis, it would have required above an hour and an half's time to be performed ; therefore the Countess of Scarborough was not half that distance ; the Alliance came to the assistance of the Bon-homme Richard in less than three-quarters of an hour after the engagement began : she did not hover about, as is said in their article, but made all possible speed in going to make the Countess of Scarborough strike, and after went to rescue the Bon-homme Richard ; and those 13, 14, and 15 articles of theirs, well considered by sea-faring men, will not only prove that the Alliance did all that could be done for the best ; but moreover, that Capt. Jones and his abettors must be no seamen to forge such articles against me.

“ Article 15th. *Capt. Landais went as fast as wind permitted, a-head of the Serapis, when he tacked about (but made no tacks) and passing a-head of her, a musket-shot off, gave her a broad-side, but the guns being pointed too high, the shot went mostly into the fore-sail of the Serapis ; and there was no mistake made for all the lantern of signal, &c. were not seen : we heard confused voices tell us to lie the enemy along side ; all this was not done better than three quarters of an hour before the Serapis struck.*”

“ Article 16th. *The Alliance passed within pistol-shot distance along the larboard or off side of the Bon-homme Richard ; after having passed her, she went close to the wind for above twenty minutes, until she could fetch the Serapis ; then she tacked about, went close to the wind, and ran down again by the stern of the Serapis, and raked her, gun by gun, as they passed by, pointing at a light that was in the Serapis's ca'bin, as they had been told to do, the first time the Alliance raked her, and all the guns were fired separately, so well that the Serapis struck her colours, before all the broad-side was fired ; for two guns remained loaded, which shows the precision and coolness of the Gunners and crew ; the men between deck of the Serapis, did not know their colours was struck, for they fired a gun after.*”

N. B. I could have added, that their 16th article is as false and as ill constructed as all the rest ; for if I had passed a considerable distance leeward of the Bon-homme Richard, the Alliance must be so much the more to leeward, and consequently run a tack the longer, and after being tacked about, would have had so much more way to come back before she could have bore to rake the Serapis ; all which would have required more than three-quarters of an hour : moreover, if the Alliance had laid along side of the Serapis (which was unadvisable, as we had seen the fire blaze on board the Serapis) the latter would not have suffered so much as she did by being raked the last time, but would have fired her larboard broad-side in the Alliance and engaged her, which would have given the enemy yet a chance to be victorious, but was prevented thereof by the Alliance raking her, as it proved.

“ Article 17th. *Capt. Landais thinks also that there were many men killed and wounded on board the Serapis, but there would have been many more, if the Gunners had pointed their pieces lower.*”

“ Article 18th.

" Article 18th. Capt. Landais never passed on the off side of the *Serapis* ; he owns it, and with modesty he thanks the subscribers of that article, for their encomium in it on his conduct ; but it is too great ; being always ready to acknowledge his faults, he must own also, he went a little too far the first time, upon the larboard quarter of the *Serapis*, who fired several of her lower battery guns, at the Alliance ; and if any of his men had been killed or wounded by their shots, he would have reproached it himself all his life-time ; but they went through the sails and between the masts, without much damage."

" Article 19th. The leaks of the *Bon-homme Richard* increased much, though the Alliance had silenced part of the *Serapis*'s guns, there were some of her lower batteries that constantly kept firing ; and as the most dangerous shot which the *Bon-homme Richard* received under water, were under the larboard bow and quarter, it is most likely it was done by the *Serapis* ; as the *Serapis* could not hit her on her starboard side line of water, the *Serapis* and *Bon-homme Richard* lying close, one starboard side against the other's starboard side, as represented in the margin article 13th ; the two ships joining by their middle, the guns of that part could not be pushed out, consequently not pointed downward ; but those of the bow and quarter, by the form of the two ships, had more play, but could not be pointed perpendicularly enough to strike the starboard side of the *Bon-homme Richard*, between wind and water : The seals of the *Serapis*'s lower ports, under the bow and quarter, where at least four feet above the surface of the water, the middle of the gun about one foot higher, supposing the gun eight feet and a half long, the gun pointed low one foot in its length, the shots must go about six-and-thirty feet before it could reach the line of water, which was the breadth of the *Bon-homme Richard* in those parts ; so that the shots went on the larboard side line of water of the *Bon-homme Richard*, not, may be, the first, second, nor the third ; because, besides the starboard side, there was the lower guns deck to go through, but the two ships being fastened together, and the guns always shooting on the same spot of the starboard side, made a hole in it, after in the deck and next in the larboard side."

" Article 20th. Capt. Landais never mistook one ship for the other, and he and Mr. Buckley told every time before the Alliance came to give her broadside, which of the two ships was the *Bon-homme Richard* and which was the *Serapis* : if any was ordered to fire upon the *Bon-homme Richard*, they were in the right to refuse it."

" Article 21st. The Alliance fired but three volleys, while within musket-shot of the *Serapis*."

N. B. I could have added, that Capt. Jones and his abettors, though they charge me that the Alliance gave three broad-sides to the *Bon-homme Richard*, and at same time say that the Alliance fired thus but three broad-sides, proves their falshood, and that the Alliance fired really and with great effect upon the *Serapis*, and they wished she had fired thus oftener, but it could not be done : moreover, it may be observed that in their 13th article, in saying that the Alliance fired upon the *Bon-homme Richard*, they say out of musket shot, to make it more striking ; but in their 21st article they say within gun shot, which imply about gun shot distance, meaning that the Alliance, when she fired upon the *Bon-homme Richard*, was at a musket shot distance ; but if they are compelled to own she fired upon the *Serapis*, that it was at a gun shot distance, whence she could do but little damage do the enemy.

" Article 22d. The morning after the engagement, Capt. Landais said on board the *Serapis*, as he has ever said since, that he raked the *Serapis* with grape-shots, and shots, and some of them might have scattered or touched guns or other iron works that might have made them fly."

" Article 23d. Capt. Landais has said several times since the action, that if the *Bon-homme Richard* had struck to the *Serapis*, he would have took them both in the condition and situation they were in, and say so yet."

"Article 24th. He has said on board the Dutch Commander, at the Texel, when he went to pay him a visit, before the *Serapis* was in the Texel, being questioned, seeing the others with French colours up (thinking that it was politic) that he was the only American Frigate, and added, that he was not under Capt. Jones's command; he said the same, three different times to Mr. de Cottineau, when that Captain spoke to him of Capt. Jones's plan of landing, Capt. Landais orders being only to cruise."

"Article 25th. In coming into Texel, he said, that if Capt. Jones would hoist a broad pendant, he would hoist another, being both Captains, of men of war, and not under Capt. Jones's orders; but he never intended it, although he might have done it: The proof thereof is that that never was a broad pendant on board the Frigate *Alliance*, all the time he commanded her."

I carried and delivered those written answers to his Excellency, and told him I had fully answered all the charges laid against me, either verbally or in writing, that if there was any new one, or any of the other not completely answered, to give them to me in writing; he replied he knew no others.

His Excellency, after I had read to him and commented upon those answers, told me I had better translate them in French, that he might show them to the French Minister; but I suppose he wanted to have them translated to be examined by sea officers, to try whether nothing could be found therein to be taken hold of against me; however, though I had no business with the French Minister, I did it, and carried it to him.

In presence of Mr. Le Ray de Chaumont I, being an American officer, begged as a favor and justice of his Excellency Benjamin Franklin, Esq; to authorise me, by his leave and approbation in writing, to have the sketch, relation and certificates, signed by all the officers of the *Alliance*; to be printed in Paris, since Capt. Jones's had been printed there; he refused to give it me: I told him it was surprising to me, that he would not grant me my lawful demand, not only for myself, but for all the *Alliance's* crew which was concerned in it; their honour as well as mine having been calumniated by Capt. Jones's false relation, which in all appearance had been printed by his authority or consent, as it was printed to be an extract of a letter from Capt. Jones to Dr. Franklin, which could not be taken out of said letter without his consent; he declared and assured me he knew not by whose authority, nor where it was printed, and said Capt. Jones might have had it printed in Holland for all he knew: though I imagined that which he told me was not likely, as I had no proof to the contrary, I said no more about it; but if his Excellency had been a philanthropos, as he is said to be, since he had arrogated himself with, the power to take the command from a Captain and give it to another, and to judge between them, he would have had the sketch &c. of the *Alliance* printed, as the least justice that ought to be done to the *Alliance's* crew, but quite the contrary, and though he wanted to appear a competent and empowered judge, thought he was the strongest party against the *Alliance's* crew and me.

The next day after I went occasionally to Mr. Le Ray de Chaumont, who told me I had puzzled his Excellency the day before, about the relation of Capt. Jones, &c. and he added it was not his Excellency that had it printed, but his grandson had asked several times his grandfather to have it printed, and at last his Excellency gave it him to be printed: as soon as I had made some observations thereabout, I left Mr. de Chaumont and went directly to his Excellency's, and reminded him how he had declared and assured me he knew not by whose authority, or where, Capt. Jones's relation had been printed, adding, that I had just learned by Mr. Le Ray de Chaumont, that his Excellency Benjamin Franklin, Esq; had himself given said relation to his grandson William Franklin, to be printed, who had it done. His Excellency coolly dis-

owned.

owned the fact, and said I had misunderstood Mr. de Chaumont, or that gentleman was mistaken ; but at that very instant, in came Mr. Le Ray de Chaumont, I asked him whether he had not told me that it was his Excellency's grandson who had Capt. Jones's relation from his Excellency's hands, to be printed : his Excellency gave no time to Mr. Chaumont to answer ; but said it was not his grandson he had given it to, to have it printed, it was to his nephew, Jonathan Williams ; I replied it was the same to me, whether he gave it to his nephew or grandson to be printed, and I told his Excellency, since you own it was to your nephew you gave it to be printed, you know then by whose authority, and where it was printed, though you declared and assured me you did not know either. His Excellency said as an excuse, that he took particular care in giving it to his nephew, that there was nothing mentioned against any body, and that my name was not in it. I took out of my pocket the news-paper wherein it was printed, in which the Alliance was charged of having not paid attention to the signals made by the Bon-homme Richard, during the chase—that at last (at half past nine o'clock) the Alliance appeared, and he discharged a broad-side full into the stern of the Bon-homme Richard, yet he passed along side the ship and continued to fire ; there was no possibility of his mistaking the enemies ship for the Bon-homme Richard ; he passed round firing into the Bon-homme Richard's head, stern, and broad-side ; and by one of his volleys killed eleven of his best men, and mortally wounded a good officer, on the fore-castle only ; the Bon-homme Richard received various shots under water, from the Alliance. I asked his Excellency whether he remembered I had showed him Congress' resolve, by which I had the command of the Alliance, and therefore I could not be more formally charged before the public, than I was by that relation : his Excellency being put to a nonplus, I continued asking him, was that your meaning, when you wrote and ordered me to come from Holland to Paris, to justify myself, "*That I might be sure to find in your Excellency, every disposition to do that justice to my character, which it should appear to merit.*"—And at the same time you gave such relation against me to be printed in the news-papers, first for calumniating my character, in order after to do that justice to my character, which it should then appear to merit by the public. I do not wonder that Capt. Jones told me you had empowered him when at l'Orient, to take the command of the Alliance from me ; I do not wonder if he has been so base as to accuse me falsely, as he has done, knowing that he would be thus supported ; I do not wonder now, that out of partiality, you have taken the Alliance from me, to give her to Capt. Jones ; and I do not wonder if you are so partial for Capt. Jones, he being supported by your grandson and nephew, and a proper man to second you in such things, as those which have been done against my character : his Excellency said not a word : thought I is this the great, the wise, the just, the deep man, so much extolled ; he appeared to me all the reverse :

I asked his Excellency to give me an extract of Capt. Jones's letter relating to all he said about the Alliance, certified by him ; he told me he had no time to do it then, but he would as soon as possible. I told him, since he had detained me in Paris, and had given the command of the Alliance to Capt. Jones, that I begged his Excellency would write him to land my trunks and deliver them into the American Agent's hands, in Holland : his Excellency would not do it, but wanted me to write to Capt. Jones, which I could not do in those circumstances ; therefore all my things remained on board the Alliance, when she went under Capt. Jones's command from Holland.

At last I obtained in different parcels, the following Extract, viz.

“ Extract of a letter from J. P. Jones, Esq; to B. Franklin, dated on board the ship of war *Serapis*, at anchor without the Texel, Oct. 3d, 1779.

“ In the afternoon (23d August, 1779) Capt. Landais came on board the *Bon-homme Richard*, and behaved towards me with great disrespect, in the most indelicate language and manner, affirming that I had lost my boats and people, through my imprudence, in sending boats to take a prize. He persisted in his reproaches, though he was assured by Messrs de Whitchbort and Chamillard, that the large was actually towing the ship at the time of the elopement, and had not been sent in pursuit of the prize. He was affronted because I would not the day before suffer him to chase, without my orders, and to approach the dangerous shore I have already mentioned (Skillocks) where he was an entire stranger; and when there was not a sufficient wind to govern a ship. He told me he was the only American in the squadron, and was determined to follow his own opinion, in chasing when and where he thought proper, and in every other matter that concerned the service; and that if I continued three days longer in that situation, the squadron would be taken, &c.

“ In the afternoon (31st August 1779) another sail appeared, and I immediately made the signal for the Alliance to chase, but instead of obeying, he wore and laid the ship's head the other way; the next morning I made signal to speak with the Alliance, to which no attention was paid.

“ The next morning (4th Sept) having weathered Fair Isle, and not seeing the *Vengeance* nor the two prizes: I spoke the Alliance, and ordered her to steer to the northward, bring them up to the rendezvous. On the morning (the 5th) the Alliance appeared again, and had brought to two very small coasting ships in ballast, but without having attended properly to my orders of yesterday; the *Vengeance* joined me soon after, and informed me, that in consequence of Capt. Landais orders to the Commanders of the two prizes ships, they had refused to follow him to the rendezvous. I am this moment ignorant what orders these men received from Capt. Landais, nor know I by virtue of what authority he ventured to give his orders to prizes in my presence, and without either my knowledge or approbation.

“ In the evening I sent for all the Captains to come on board the *Bon-homme Richard*, to consult on future plans of operations; Captains Cottineau and Ricot obeyed me; but Capt. Landais obstinately refused; and after sending me various uncivil messages, wrote me a very extraordinary letter in answer to a written order, which I had sent him on finding that he had trifled with my verbal orders.

“ When the fleet discovered us bearing down, all the merchants ships crowded sails towards the shore; the ships of war that protected the fleet, at the same time steered from the land and made disposition of battle; in approaching the enemy, I crowded every possible sail, and made the signal for the line of battle, to which the Alliance showed no attention. Earnest as I was for the action I could not reach the Commander's ship, until seven in the evening, being then within pistol-shot, when he hailed the *Bon-homme Richard*; we answered him by firing a whole broadside. The battle being thus begun, was continued with unremitting fury. Every method was practised on both sides, to gain an advantage, and rake each other; and I must confess that the enemy's ship being much more manageable than the *Bon-homme Richard*, gained thereby several times an advantageous situation, in spite of my best endeavours to prevent it. As I had to deal with an enemy of a greatly superior force, I was under the necessity of closing with him, to prevent the advantage which he had over me in point of manoeuvre. It was my intention to lay the *Bon-homme Richard* athwart the enemy's bow, but as that operation required great dexterity in the management of both sails and helm, and some of our braces being shot away, it did not exactly succeed to my wish. The enemy's bowsprit, however, came over the *Bon-homme Richard*'s poop, behind the mainmast, and I made both ships fast together in that situation, which by the action of the wind on the enemy's sails, forced her to stern close to the *Bon-homme*

homme Richard's bow, so that the ships lay square along side of each other, the yards being all entangled and the cannon of each ship touching the opposite side. When this position took place, it was near 8 o'clock, previous to which the Bon-homme Richard had received sundry eighteen pounds-shot below the water, and leaked very much; my battery of twelve pounders, on which I placed my chief dependance, being commanded by Lieut. Dale and Col. Wirbert, and manned principally by American seamen and French volunteers, was entirely silenced and abandoned. As to the old six eighteen pounders that formed the battery of the lower deck, they did no service whatever, except firing eight shots in all, two out of three of them burst at the first fire, and killed almost all the men who were stationed to manage them. Before this time too, Ccl. Chamillard, who commanded a party of twenty soldiers, on the poop, had abandoned that station, after having lost all his men except five. I had now two pieces of cannon (9 pounders) on the quarter deck, that were not silenced, and not one of the heavier cannon was fired during the remainder of the action. The purser, Mr. Mense, who commanded the guns on the quarter-deck, being dangerously wounded in the head, I was obliged to fill his place; and with great difficulty rallied a few men, and shifted over one of the lee quarter-deck guns, so that we afterwards played three pieces of nine pounders upon the enemy. The tops only seconded the fire of this little battery, and held out bravely during the whole of the action, especially the maintop, which Lieut. Stack commanded. I directed the fire of one of the three cannons against the mainmast, with doubled-headed shot; while the two others were exceedingly well served, with grape and canister-shot, to silence the enemy's musket, and clear her decks, which was at last effected. The enemy were, as I have since understood, on the instant of calling for quarter, when the cowardise or treachery of three of my under officers, induced them to call to the enemy. The English Commodore asked me if I demanded quarters, and I having answered him in the most determined negative, they renewed the battle with double fury; they were unable to stand the deck; but the fire of their cannon, especially the lower battery, which was entirely formed of eighteen pounders, was incessant. Both ships were set on fire in various places, and the scene was dreadful beyond the reach of language.

"To account for the timidity of my three under officers, I mean the Gunner the Carpenter, and the Master at Arms: I must observe that the two first were badly wounded; and as the ship had received various shots under water, and one of the pumps being shot away, expressed his fears that she would sink; whence the two others concluded, that she was sinking, which occasioned to run ast the poop, without my knowledge, to strike the colours. Fortunately for me, a cannon-ball had done that long before, by carrying away the ensign: he was therefore reduced to the necessity of sinking, as he supposed, or of calling for quarters, and he preferred the latter.

"All this time the Bon-homme Richard had sustained the action alone, and the enemy though much superior in force, would have been glad to have got clear, as appears from their own acknowledgements, and by their having let go an anchor, the instant I laid them on board, by which means they would have escaped, had I not made them well fast to the Bon-homme Richard: At last (at half past 9 o'clock) the Alliance appeared, and I now thought the battle at an end, but to my utter astonishment he discharged a broadside full into the stern of the Bon-homme Richard. We called to him for God's sake to forbear firing into the Bon-homme Richard; yet he passed along the off side of the ship, and continued firing. There was no possibility of his mistaking the enemy's ship for the Bon-homme Richard, there being the most essential difference in their appearance and construction; besides, it was full moon light, and the sides of the Bon-homme Richard were all black, while the sides of the prize were yellow. Yet for greater security I showed the signal of our recognisance, by putting out three lanterns, one at the head, one at the stern, and the third in the middle, in a horizontal line. Every tongue cried that he was firing into the wrong ship, but nothing would avail; he passed round firing into the Bon-homme Richard, head, stern, and broadside; and by one of his volleys killed eleven of my best men, and mortally

mortally wounded a good officer on the forecastle only. My situation was really deplorable ; the *Bon-homme Richard* received various shot, under water, from the *Alliance* ; the leak gained on the pumps, and the fire increased much aboard both ships ; some officers persuaded me to strike, of whose courage and good sense, I entertain an high opinion. My treacherous Master at Arms, let loose all the prisoners, without my knowledge, and my prospect became gloomy indeed. The enemy's mainmast began to shake ; their firing decreased fast ; ours rather increased, and the British colours were struck at half an hour past 10 o'clock. This prize proved to be the British ship of war the *Serapis*, a new ship of forty-four guns, built on their most approved construction, with two complete batteries, one of them eighteen pounders, and commanded by the brave Commodore Richard Pearson. The *Alliance* was in a state to pursue the fleet, not having had a single man wounded, or a single shot fired at her from the *Serapis*, and only three from the Countess of Scarborough, at such distance, that one struck in the side, and the other just touched, and then dropped into the water. The *Alliance* killed one man only on board the *Serapis*.

" Upon the whole, the Captain of the *Alliance* has behaved so very ill in every respect, that I must complain loudly of his conduct ; he pretends he is authorized to act independent of my command ; I have been taught the contrary ; but supposing it to be so, his conduct has been base and unpardonable.

" I certify the above extracts, to be correctly copied from Capt. Jones's letter of the third of October, to B. Franklin.

" Passy, 15th Dec. sent to Capt. Landais on the day within mentioned, being a true copy, examined by me,
B. FRANKLIN."

Although I have fully answered the charges laid against me in these extracts and accusations, made against me ; and the four general charges made and proposed by his Excellency Benjamin Franklin, Esq; of disobedience of orders ; of having not been to the *Bon-homme Richard*'s assistance, as soon as possible ; of having fired upon the *Bon-homme Richard*, during the engagement ; and of having not been to take the fleet, the day after the engagement, which charges his Excellency had made out of Capt. Jones's letters to him, though he had never let me see the said extracts, but on the day he sent them to me ; I say though I have answered them fully, by proving that I was not under Capt. Jones's command, by the orders I had from his Excellency, answered all the charges during the engagement, and proved my answers by the sketch, relation, and certificate, signed by all the officers of the *Alliance* ; proved the impossibility I was in to go after the Baltic fleet, the day after the engagement ; answered the twenty-five articles made against me ; and proved the *Alliance* did in all respects, all she could do in obedience to his Excellency's order, and the good of the service. I am going for those that are no sea-officers (for those who are, may see through it) to put in a clear light the falsehood hidden in Capt. Jones's letter and relation to his Excellency : the first extract beginning thus " In the afternoon (23d Aug. 1779) Capt. Landais came on board the *Bon-homme Richard*, &c." is explained (page 12 and 13, where it is said, that the *Skillocks* bore S. E. $\frac{1}{2}$ E. at five miles distance, certified by Mr. Varage, and the chase N. N. W. therefore there was no danger in chasing, to go towards the *Skillocks*, but to the contrary, in chasing she would have gone further from those rocks, which shews it is an evasion and an imposition of Capt. Jones's. The second extract beginning thus " In the afternoon (31st August, 1779) another sail, &c." is explained (page 31) he does not mention that the *Alliance* was manning the prize-ship *Union*, and had on board, her own boats and thirty men, which made it impracticable for her to leave them, and chase : But Capt. Jones does not say that the *Bon-homme Richard* was there doing nothing, and did not chase the sail in sight, as she ought to have done. The third extract beginning thus " The next morning (4th Sept.) having weathered, &c." is explained (page 31 and 32) he says he is ignorant by what authority

thority I ventured to give orders to my prizes, one of which took when the Bon-homme Richard was above fifty leagues distance from the Alliance, which he had certainly no right to; the other I had taken when he was three miles off; I may say I gave them orders, being authorized to do it by my commission from Congress, and by his Excellency Benjamin Franklin, Esqr's orders to me. The fourth extract beginning thus, "*In the evening I sent for all the Captains,*" is explained (page 15th) but he does not mention the purport of my extraordinary letter I wrote to him in answer to his orders, because therein was hinted the reason he had given me (on the 23d Sept.) to never go again on board his ship; he does not say that he never was willing to show me any voucher to prove I was under his orders, because it was the snare laid, wherein to find me guilty, had I obeyed him and broke his Excellency's orders to me, and by the same principle he would never give me written order to follow him, though demanded, as certified by Capt. Cottineau, as it would in some degree have justified me.

Now I am going to comment on Captain Jones's own relation, of the chase and engagement on the 23d September, show his art in writing falshood and misrepresentation, and explain the motives I conceived he did it for: to do it clearly, I will take it by paragraphs, and write the first and last words of each and explain it thus—" *When the fleet discovered us, &c.*" — "*The Alliance showed no attention.*"

If Capt. Jones means, when at half past one o'clock, the Alliance showed a signal for two ships in sight, and the Bon-homme Richard showed another to chase them, he then could not see the fleet, which was imbayed close to the land, between Flamborough's and Scarborough's-head, his ship being south of Flamborough's-head; Capt. Jones being at ten miles distance, could not know what disposition they were making on board the English men-of-war but by guess, he could not mean that they formed the line then, as it was about six o'clock when they did it; Capt. Jones, with his peculiar art of disguising the truth, says, he crowded "*every possible sail,*" wanting to be understood as though he did it as soon as the enemies appeared, and do not say, it was after the Bon-homme Richard had kept close to the wind or brought to, waiting for the pilot schooner, until after four o'clock, which first blunder and delay gave rise to all which succeeded:—Capt. Jones says that he made the signal for the line of battle, but do not say when, nor what line of battle, by which he proves that he knows words, but do not understand their meaning, as there are as many different lines upon which a battle may be given as may be imagined, besides the distance from ship to ship must be given likewise; therefore if Capt. Jones had made such an insignificant signal, and the Alliance had seen it, she could do no more to obey it than she did, for wherever she was, she was upon a line with the Bon-homme Richard: but Capt. Cottineau of the Pallas, which was between the Bon-homme Richard and Alliance (in a letter whereof I will give a copy) says, if Capt. Jones made any signal, the Alliance could not perceive it in the position she was in.

—" *Earnest as I was, &c.*" — "*A whole broad-side.*"

If Capt. Jones had been earnestly willing for the action from the beginning, and had acted in consequence as he ought to have done, with our combined superiour force, the battle would have been fought and ended during day time, without perhaps the loss of five men on our side, after which we might have been in a condition to take and destroy the whole fleet of merchants vessels: by the watches of Capt. Spencer and mine, the engagement, or rather the first gun fired, was at 8 minutes past eight o'clock, and by Capt. Cottineau's it was four minutes past eight; but Capt. Jones wants to make it appear it began sooner for his own purposes: if Capt. Jones fired then his whole broad-side, he lost by it his shots, as coming head long, as he did, upon the Scrapis's broad-side, he could not point his guns to any effect, but his two fore-castle chase

ones, and the Serapis had received during the engagement, but five shots on her larboard side.

—“ *The battle being thus began, &c.* ” —“ *Endeavours to prevent it.* ”

It appears that the Serapis, taking advantage of the awkwardness of the Bon-homme Richard in coming upon her, began and continued with *unremitting* fury ; but on board the Bon-homme Richard, I suppose, without pretending to blame her crew, there was unremitting fear, owing to their leader's bad attack. Capt. Pearson's method was by far better practised than Capt. Jones's for raking his enemy : Capt. Jones should have laid the enemy's ship, being much better managed than the Bon-homme Richard (though she also had a helm, braces, and bowlines as well as the other, of which I made no use) gained thereby several times an advantageous situation, in spite of my best endeavours to prevent it, and defeated me by her three first broadsides : he would have owned the truth clearly in that particular ; but though he don't say so directly, it may be understood by that, which he said considering that he wrote it.

—“ *As I had to deal, &c.* ” —“ *To my wish.* ”

The Bon-homme Richard could fight with six eighteen pounders on her lower deck, fourteen twelves upon her upper deck, five eights upon her quarter-deck and forecastle, all French metal, on one side ; had three hundred and seventy-five men going out of P'Orient, and twelve which were enlisted out of the prizes men, which make in all three hundred and eighty-seven, out of which number to be deducted five-and-twenty men that ran away from her to Ireland, there then remains three hundred and sixty-two.—The Serapis had ten eighteen pounders on her lower deck, ten nines upon her upper deck, and four sixes on the quarter-deck and forecastle, all English metal, which she could fight with on one side, had two hundred and eighty-eight men in all, out of which eight East-India men which would not fight, remains two hundred and eighty ; in consequence the Bon-homme Richard could send every broadside on the enemy, three hundred and sixteen pounds of shots, French metal ; the Serapis could return but two hundred and eighty-four, English metal ; if with this difference in metal, the Bon-homme Richard could shoot in one broad-side is combined eighty two fighting men, she had more than the Serapis, the moment of the Bon-homme Richard's whole force compared to the Serapis's whole one, will be :: 5 : 2 ; if the thickness and stoutness of the Bon-homme Richard, her height of quarter-deck, forecastle and tops, above those of the Serapis, are considered as advantageous as they were in their position, it will prove the Bon-homme Richard was really double the force of the Serapis, and will prove again, that Capt. Jones was wrong in saying he had to deal with a superior force.—Capt. Jones pretends to ascribe to his dexterity, the event of putting the Bon-homme Richard athwart the enemy's bow, which happened only by his second blunder in attacking the enemy, and it was impossible in the situation he was in, after having received the first broad-side, to do it otherwise, as the Bon-homme Richard, when coming down head-long upon the enemy's broad-side, had the Quarter-Master at the helm wheel killed (I have heard say) and the Bon-homme Richard, of itself, ran before the wind perpendicularly against the Serapis's larboard main shrouds, which by their resistance and opposition first fluted, and after by their elasticity and re-action, made the Bon-homme Richard go somewhat astern, at the same time the Serapis's stern, by the impulse she had received in her main shrouds, sailed leeward, and of course her head came in the wind ; the wind being then on her top-sails made her go astern, by that time the Bon-homme Richard, who had been pushed back, was soon stopped, having the wind off, which made her go ahead, and pass before the Serapis, who had been astern enough to let her, but the Serapis having made her sailing, going ahead, ran her bowsprit in the Bon-homme Richard's starboard mizen shrouds, (see the tenth position) what proves it was accidental, and not designed by Capt. Jones, is, that the Bon-homme Richard in that advantage-

ous position, did not fire a single gun to rake the Serapis, which would not have been omitted had it been foreseen.

—“ *The enemy's bowsprit, &c.* ” — “ *All his men except five.* ” —

The question might properly be made to Capt. Jones, what could induce him to leave his command and post on the quarter-deck, to go upon the poop and make fast himself the Serapis's bowsprit to his ship, at a time when all his crew had fled from their quarters, since they had not fired a gun in that advantageous position, which Capt. Jones owns himself in the latter part of the paragraph ; another question to the same purport might be put to him, which is, whether the crew had abandoned him, so that he had not a single man left to send to make fast the Serapis's bowsprit to his ship, or not ? if he says he had, why did he leave his command and post at such a critical time to do it himself ? If he says he had not, what reason can he give for making fast the Serapis's bowsprit to his ship, when he had not a single man left to obey him or defend her, whilst the Serapis's crew encouraged by the confidence, well deserved, they had for their leader, their first success, and the Bon-homme Richard's firing being silenced, kept their quarters and fired with unremitting fury ? he could certainly make no answer that could justify his boasted action of making fast the two ships together ; but here is my opinion of the motive, which I leave the reader to judge, that induced Capt. Jones to make fast the two ships together himself, as he could have no other (see the tenth position) he seeing that the Serapis having not yet fired a gun from her starboard side batteries, had them all ready to fire as soon as the bow of one ship should come against the stern of the other, as in the eleventh position, which was unavoidable ; fearing that he should fall by that broad-side, had he stood at his post on the quarter-deck, he went upon the poop, where none of the Serapis's batteries guns could be pointed under her own bowsprit, and where the tops were prevented from firing by the top-fails bunts, therefore Capt. Jones was there very safe from any danger in that dreadful moment ; but there were several wounded volunteers lying on the poop, who might have observed his retreat there and revealed it, to prevent which, he made the enemies bowsprit fast to his ship, for an excuse of his being there.—Capt. Jones says it was near eight o'clock when the two ships lay square along side each other, and had their yards entangled together ; but he says previous to that (which must be a very short time after the engagement began) his ship had received sundry eighteen pound shots, and leaked very much (by and by he will say, as is already said in the 19th article, that those shots and others she had received from the Serapis, during the rest of the engagement were fired by the Alliance) and he adds that his battery of twelve pounders was entirely silenced and abandoned then (how could he say in the accusations he made against me, signed by his abettors, that Capt. Landais, which he says, came after nine o'clock, article 13th, raked the Bon-homme Richard, killed a number of men, dismounted sundry guns, and silenced all the twelve pounders ? this paragraph proves evidently his and abettors imposition as well as the rest) moreover, he owns that his lower battery was then likewise abandoned, as well as his poop, where fifteen men had been killed out of twenty ; therefore it proves conspicuously that his ship was totally abandoned soon after the engagement began, that she was not in a condition to be fastened with the enemy, and that Capt. Jones and his abettors were wrong in charging the Alliance of all the disasters the Bon-homme Richard had suffered by her leader's fault from the Serapis's fire.

—“ *I had now two pieces, &c.* ” — “ *At last effected.* ”

Capt. Jones owns that no other cannon was fired from his ship, during the remainder of the action, but three nine pounders on the quarter-deck, “ *that with great difficulty he rallied a few men.* ” Certainly that part of his ship was also abandoned,—He says, “ *Mr. Maze be ng*

wounded, he was obliged to fill his place." This was wrong again of Capt. Jones, in such circumstance, not to try to rally more men, and leave his command on the middle of the quarter-deck, and go himself to load or point a cannon during the rest of the action, as he did, when he could certainly send an officer to force a man to come and replace Mr. Meaze; but it appears he preferred that new post, where he was covered by the ship's side or breastwork (being impossible for the enemy to point any cannon there) to his real post on the middle of the quarter-deck, where he would have been in danger of being fired at from the Serapis's tops. He says, "*That he directed the fire of one of these three cannon against the main-mast of the enemy.*"—He does not tell the true reason why, but is most likely he wanted to clear his ship, which he could not do but by shooting away the Serapis's main-mast, which was entangled with his; this shows that though he had his little battery more then, than when he had made the two ships fast together, he wanted to go away, which proves he made them fast together for an excuse of his going upon the poop, and also it proves he knew, and took, the places where there was no danger.

—"*The enemies were, &c.*"—"*Reach of language.*"

Supposing that Capt. Jones had really cleared the enemy's quarter-deck, and silenced his musketry there, as he pretends to persuade the public (which is totally disowned by Captain Pearson's relation) he is more guilty than a common impostor to invent, that the enemy were on the instant to call out for quarters, when on their lower and upper deck they had not yet had a single man even wounded by the Bon-homme Richard's fire, and where she could not wound one with her three quarter-deck guns, which were so high above the quarter-deck of the enemy, that it was impossible to point them low enough to shoot even in the quarter-deck planks; he dares not only refuse the eulogium due to the notorious good conduct of Capt. Pearson, but charges him of his willingness to call for quarters, when he was certain to sink at last the Bon-homme Richard with her two batteries, had she not been assisted: all which shows his only principle was to hide his faults, charge them upon others, and appear a hero (at least upon paper) to those that could not understand thoroughly his relation.

—"*To account for the timidity, &c.*"—"*Preferred to the latter.*"

This paragraph proves that the Bon-homme Richard was very leaky by the various shots she had received under water from the Serapis, even at that time: and had Capt. Jones been at his post on the middle of the quarter-deck, it would have prevented those three men who did not see any commander left whatever, to call to the enemies for quarters, and go upon the poop to strike the colours.

—"*All this time, &c.*"—"*Well fast to the Bon-homme Richard.*"

Capt. Jones represents Capt. Pearson as a coward, saying falsely that his ship was superior in force to the Bon-homme Richard, though the latter had been almost totally disabled, and was nigh sinking by the three first broad-sides she had received from the Serapis, which Capt. Jones says then, "*would have been glad to have gone clear, as appears by their own acknowledgements.*" This is fully disowned in Capt. Pearson's relation, as well as by all the verbal declarations I have heard by his officers; and he gives as proof thereof, that the Serapis "*let go an anchor the instant the Bon-homme Richard hung by her mizen-shrouds, to the Serapis's gib-loom, and Capt. Jones made these two ships fast together.*" Though Captain Pearson can never be too much praised for his presence of mind in that particular instance, considering that the small S. W. wind which blew then was decreasing very fast from the time of the beginning of the chase, and to such a degree, that a quarter of an hour after the engagement was over, it was quite calm until six the next morning, that the current then until midnight, ran at the rate of more than two knots and an half from north to south, and that the Alliance, Pallas, and Countess

of

of Scarborough were southward of the Bon-homme Richard and Serapis, whence if it had calmed a little sooner, or the Alliance had not sailed in a light wind and smooth sea, as she did, it would have been impossible for her to go to the assistance of the Bon-homme Richard, which must have been taken, by being fastened along side the Serapis, being at anchor : therefore Capt. Jones, in this paragraph, as in all others, is wrong in impeaching the brave Capt. Pearson, instead of giving the praise due to his skill, and raising his own fallacious glory.

——“ *At last (at half past nine o'clock) &c.*”——“ *And continued firing.*”

Capt. Jones hinted the engagement began at seven o'clock, and says in this paragraph the Alliance appeared only at half past nine, which is two hours and an half after : but in the 13th article of the charges he made against me, and had signed by his abettors, he says, “ *That after the Bon-homme Richard and Serapis were made fast along side of each other (which was not done until an hour after the engagement begun) Capt. Landais out of musket shot raked the Bon-homme Richard, &c.*” which implies it was about an hour after the beginning of the engagement, that the Alliance raked (he says) the Bon-homme Richard, which makes an hour and an half difference that there is between the time mentioned in said charges signed by his abettors, and this charge in his relation, for the time the Alliance appeared, which is enough to prove that he was wrong in his articles, or relation of accusations : moreover, both are wrong, as it was not above thirty-five minutes after the beginning of the engagement when the Alliance raked the Serapis from stern to head : but Capt. Jones's misrepresentation as to time, is not the only striking ones in this paragraph, as he says, “ *But to my utter astonishment he discharged (speaking of me) a broad-side full into the stern of the Bon-homme Richard, ye passed along the off side of the ship and continued firing.*”——Any impartial man who was in that engagement, or had seen the sketch and relation, signed by all the officers of the Alliance, would be apt to think that Capt. Jones was not there, or had lost all his natural sense or remembrance, when he wrote his relation, in making such charges against me : there is no further need of proving the falshood of it, but by looking at the eleventh position of the sketch, to see that the Alliance, after having raked the first time the Serapis full in her stern by a broad-side, fired no more then, but passed before the head of the Bon-homme Richard, as they were head against stern ; consequently, it was impossible to rake the Bon-homme Richard in her stern, after which the Alliance turned her stern to the Bon-homme Richard's bow, as may be seen by the dots in the sketch, to mark her way, and went directly towards the Countess of Scarborough, far from passing along side of his ship, as he awkwardly says, by which he proves that he does not leave the appearance of a possibility in his false accusations.

——“ *There was no possibility of his mistaking, &c.*”——“ *On the fore-castle only.*”

There was no possibility of any on board the Alliance to mistake one ship for another, which is certified by all the officers of the Alliance, and that she raked effectually, at three different times, the Serapis, without any mistake whatever : but Capt. Jones peremptorily and precisely asserts, “ *That by one of my volleys, I killed eleven of his best men, and mortally wounded a good officer on the fore-castle only.*” How can Capt. Jones assert any such thing so particularly and positively, as to tell the number and quality of men killed, and mention an officer mortally wounded on the fore-castle only by the Alliance, without telling his name to have it known ? it must be all a mystery to every body, even to Capt. Jones, if the ghost of those eleven of his best men did not appear and tell him they were killed by the Alliance : and Capt. Jones might then have cross-questioned them, to know the truth, asking them how they could remain unhurt upon the fore-castle, when raked from head to stern ; where all the Serapis's shots passed first, and destroyed every thing in their way, going upon the poop, where they destroyed fifteen volunteers out of twenty, and

and made the rest, with their officer, leave that quarter. The ghost must have recourse to supernatural causes, as their only play, for their preservation there then, to assert their deposition, or be proved liars. But suppose they made use of that play, and convinced thus Capt. Jones; another might be put to him, which is, why did he leave exposed, from head to toes, eleven of his best men, and a good officer, doing nothing whatever, upon the fore-castle, in an unavoidable danger, under the Serapis's tops and quarter-deck musketeers, which was close to, and predominated the Bon-homme Richard's fore-castle, and not send nor call for one, at least, of those men, to replace him in loading and pointing the quarter-deck guns, that he might have resumed his command? his answer must be that he preferred his new post to the command of his ship, and wanted to have those men killed by the Serapis, or must own there was none, as really there could be none alive. But Capt Jones, to cover the true cause, thought expedient to charge me thus, with his mens lives, which he had lost by his own fault.

——“ *My situation was really deplorable.*”——“ *Gloomy indeed.*”

I conceive that Capt. Jones's situation was deplorable even in his second situation, being reduced from the beginning, to be sunk, or strike to the enemy, which would have carried him to England, where he could expect nothing but a sad reception, which made him hold on until the Alliance effected his deliverance out of those dangers, and the reduction of the enemy: but he says, “ *That the Bon-homme Richard received various shots under water from the Alliance, and the fire increased much on board both ships.*” He does not remember, that he said before eight o'clock the Bon-homme Richard had received sundry eighteen pound shot below the water, and leaked very much, and since that time, the incessant fire of the Serapis's lower battery, could by no means stop these leaks, but rather increased them, and naturally the water coming in the ship all the time, and no body to pump it out, must necessarily gain, without any other cause; and his charging the Alliance of having fired several shots under water of the Bon-homme Richard, is like all the other damages he received by his own faults, from the Serapis.

——“ *The enemy's main-mast began to shake, &c.*”——“ *Richard Pearson.*”

Every one must wonder and admire, what a sudden and happy change befel Captain Jones, when under such a gloomy prospect; and those that believe his relation, all along, and particularly in this paragraph, must necessarily acknowledge, first his holiness to credit it and ascribe said change to a miracle wrought in his favor, for he said before eight o'clock his two decks battery and poop were abandoned, that his ship was very leaky, &c. &c. that since that time he had suffered an incessant fire of the Serapis's two batteries; that he had nothing left but three quarter-deck guns (which could not point to the Serapis's hulk, or any man contained in it) that besides the Alliance came, and gave a full broad-side into the Bon-homme Richard; and passed along side and continued firing (and after he says) he passed round firing into the Bon-homme Richard's head, stern, and broad-side, and by one of his volies killed eleven of my best men, and wounded a good officer, on the fore-castle only. The Bon-homme Richard received various shot under water from the Alliance: for all that, all at once he says, the Enemy's main-mast began to shake, their firing decreased fast, ours rather increased, and the British colours were struck, at half past ten o'clock. Miracles are unspeakable!—But those that will not believe, blindly will find the natural causes of this change in Captain Jones's prospect, contained in the sketch, relation, and certificates, signed by all the officers of the Alliance, and in the relation of Captain Pearson, to the British admiralty, which will prove the whole relation of Captain Jones, is compounded of misrepresentations, of false imputations artfully contrived against the Alliance, tending to this paragraph, to extol himself above human nature, and charge me, as Captain of the Alliance, of all he could imagine, to cover his inability

inability and misconduct (by which he had his ship and crew almost all destroyed) to make me appear worse than any man extant. And those that scrutinize and examine the possibility, or impossibility of things, after having perused Capt. Jones's relation, in which he owns his ship and crew were almost destroyed, from the beginning of the engagement, and all the engagement long by the Serapis, his saying, that in addition the Alliance destroyed his ship and crew almost a second time, and as if by being destroyed by her, it had roused the courage of his men left at his little battery; dejected and cast down all the Serapis's crew; he says that their fire decreased fast, that his rather increased, without giving any reason why, the British colours were struck; I leave to judge the probability thereof, and what Capt. Jones is capable of.

—“*The Alliance, &c.*”—“*On board the Serapis.*”

I have already answered heretofore, all this paragraph, but the last phrase that “*the Alliance killed one man only on board the Serapis.*” How is it possible, that Capt. Jones can assert that the Alliance killed one man, and no other than one man, on board the Serapis; when Capt. Pearson says, she killed or wounded almost all his men on the quarter-deck and decks, which was the common report, likewise, of all his remaining officers; but it is in respect to this as the rest of his relation.

—“*Upon the whole, &c.*”—“*unpardonable.*”

I will make but one observation in this last paragraph, as all the rest is nothing but insults, from a man that knows how to avoid giving any satisfaction for them. He says, speaking of the Captain of the Alliance, “*he pretends that he is authorized to act independent of my command, I have been taught the contrary.*” He does not say that he had any orders either from his Excellency Benjamin Franklin, Esq; or any other by which I was really under his command, upon which he would have insisted.

I am afraid that I have been too prolix upon such a subject for sagacious readers, who may at once see through Capt. Jones's relation and views, but I thought it necessary for those that trust more to others judgment than to their own, who when they see any thing printed in a newspaper, believe it as being authentic, without daring to examine the propriety of it; and I must confess that I never wondered at Capt. Jones's writing such relation as his to his Excellency Benjamin Franklin, Esq; but I always since did, do, and ever shall, wonder how any impartial reader could believe it.

I expatiated verbally upon Capt. Jones's relation, before his Excellency Benjamin Franklin, Esq; to prove to him the imposition contained therein, but all in vain; nothing could avail with him, though his Excellency could not give a reason why he had taken the command of the Alliance from me, to give it to Capt. Jones.

Here follow pieces which will serve to destroy some of the 25 articles made by Capt. Jones, and signed by his abettors, and those by himself, made against me, and will bring the truth to light, viz.

“*We who have undersigned, do certify, that at break of day, on the 20th August last, we found ourselves with five vessels, two of which were Swedes, two Portuguese, all brigs or sloops; and one a large Dane's ship, of six or seven hundred tons burthen, of which we passed nigh enough to speak to her, though we did not, and that we saw the American fleet give her chase.*”

“*Made Double, Paris, December*

“*14th, 1779.*”

(Signed)

Translation.

{ *Guidelon, Captain of the Monsieur.*
De Bellefont, Captain of marines.
Gambesfort, Lieutenant.

Which certificate proves the East-Indianman mentioned in the 2d article, signed by Capt. Jones and abettors, and made by him, was no other than a neutral ship.

Sir,

“ Sir,

“ Though I must go away, I leave my own business to answer quickly the letter you did me the honor to write me the 7th instant, by which you inquire of me some explanation about the transactions during the navigation, when I had the pleasure to be with you off the coast of Ireland, on the 20th, 21st, 22d, 23d, and 24th day of last August, having, happily, my logg-book with me, I may satisfy you on that account, and I do it with so much the more eagerness, as I desire nothing more than to prove my attachment to you, and which I certify to be true, from the Friday 20th, to Saturday 21st August, 1779: we had the starboard tack put on board, to perform the Commander's order, the wind being at E. S. E. pretty fresh, and steering S. S. W. at a quarter past 1 o'clock, we showed a signal that the vessels which we had been signalized to reconnoitre were friends (none having answered it, we took it down at half after 1 o'clock; at twenty minutes after three we replaced it, none but the *Pallas* answered, by shewing her signal, that she had seen ours.

“ At a quarter after 10 o'clock in the morning, we spoke to the Commander relatively to the land we had made; I inquired of him the true name of the cape, which bore on our starboard side, he answered it was Cape Desso, and the bay of which it formed one side of the entry, was the river Killmark.

“ From Sunday 22d, to Monday 23d August, 1779, at noon, the Skillocks bore S. E. $\frac{1}{2}$ E. the point of the most West of the Blasques, to the N. N. E. of the compass, at five miles distance.

“ From the 23d to the 24th, at 7 o'clock, the Commander having showed us a signal to speak with him, we bore upon him; at half after seven, being close to him, he told us to go and search for his boats, which having been to take a prize, when they came back from thence, feigned to tow the Commander's ship against the currents, which was nigh the Skillock point; those boats had cut the row line, and had run away, to go close along the coast; we asked him whether it was practicable, and if we could go close to it, he answered we might, that there was no danger.

“ I wish, Sir, this may be what you wish to have; that it may prove to you that nobody is more eager than I am to convince you with my inviolable attachment: tis with those sentiments I have the honor to be, Sir, your most humble, &c.

Translation.

(Signed)

V A R A G E.

“ Ferfailles, Jan. 8, 1780,

(Commander of the King's cutter *Cerf*.)

“ Mr. Landais, Captain in the navy, in the United States' service.”

As it is proved heretofore and after, that on board the Bon-homme Richard, they commonly made signals in places where they could not be perceived, they omitted to make necessary ones; and in the first article above-mentioned, they did not answer the cutter *Cerf*'s signal, it is evident that Capt. Jones was guilty of the charge laid against me in his fifth article.

The second article above proves the reason Capt. Jones gives for having prevented the Alliance from chasing on the 23d August (by which he had five-and-twenty of his men run away in two boats) to be false, saying it was to prevent the Alliance from approaching the dangerous shore mentioned (Skillocks) which, according to Mr. Varage, bore S. E. $\frac{1}{2}$ S. at five miles distance; and by the Alliance's logg-book, the vessel chased, bore then N. N. W. therefore if the Alliance had continued the chase, she would have been in no danger of approaching the Skillocks, but to the contrary, she would have gone further and further from it. It may be observed also that Capt Jones had said to Mr. Varage, there was no danger in going close to the Skillocks; but to justify his preventing the Alliance chasing, by which he lost his men and boats; he contradicts himself, in saying it was very dangerous.

By Mr. Varage's third article, it appears that Capt. Jones declared to him that his boats had run away just after they came from taking the prizes: but Capt. Jones pretends in his own first charge

charge against me, that his barge had not been sent to take the prize, if so, he was guilty of neglect in his duty, for not having made said barge tow off his ship against the current from the land, since 3 o'clock, P. M. that it was quite calm until night, by which he would have had no need of sending his boats in the night to tow off his ship from the land.

"Paris, March 7, 1780.

"Mr. Landais, Captain of man-of-war, at Paris,

"S I R,

"I received your's which you honored me with on the 3d instant, containing questions, to which follow the answers :

"The engagement on the 23d of September of Capt. Jones's division against the *Serapis* and *Countess of Scarborough*, began at four minutes past eight o'clock, P. M. by my watch, that is to say, the first gun was fired from the *Bon-homme Richard* at that time, at seventeen minutes past ten (always by my watch) the *Serapis* struck her colours, which ended the engagement.

"2dly. We made the Scotchland the 4th September ; we attempted to land in *Edenbourg Bay*, since the 15th to the 17th, we played windward in order to do it, at last the land wind prevented us thereof : the 19th Mr. Jones proposed sending to burn the vessels lying in *Chilve road*, but nothing but his proposal took place ; the night between the 21st and 22d instant, Mr. Jones went in *Hulm-Bay*, but I do not know what he did there. The 23d, we were off *Flamborough-Head*.

"I have the honor to be sincerely, Sir, your most humble servant,

Translation.

(Signed)

D. COTTINEAU."

The above from a Captain who was in that engagement, proves that it began not at 7 o'clock, and did not last until half past ten, as hinted in Capt. Jones's relation. It moreover proves that Capt. Jones did not cruize, but went from place to place, proposing to land, without any effect ; all which was incompatible with his Excellency Benjamin Franklin, Esq's orders to me.

"S I R,

"I have received the letter which you did me the honor to write me, dated January 22d, which contains a number of particulars upon several circumstances which I had not comprehended, as the traduction you give me of the six articles in English, which I signed, shows a meaning which my little knowledge in the English language had not permitted me to perceive ; to prevent any equivocation, I express hereafter what I believe, and was willing to sign.

"Article 4. b. I certify that Mr. Landais refused to go on board Capt. Jones, when required by signal, and I notified it to him myself, by Mr. Jones's order, on the 6th Sept. (N. B.) it was about going to make a descent on *Shetland*, which plan I communicated to him, he told me he was not under Capt. Jones's orders, that nevertheless he would put them in execution, if he would send him written order therefor ; and if Capt. Jones wanted to consult him about any expedition, he might send him his plan in writing, or verbally by an officer, he would give him his advice : but to assure him that he would never go on board his ship, after the insults he had undergone there.

"Article 9th. In the morning, before day, on the 23d September, the *Bon-homme Richard* and *Vengeance* appeared in sight of the *Alliance* and *Pallas* ; all four brought to, and remained upon the defensive the rest of the night. Capt. Cottineau asked of Capt. Landais his advice, and what they should do if the ship proved to be a sixty guns ; Capt. Landais answered, if she was above fifty we had nothing better to do than to make the best of our way to avoid them.

"Article 11th. The *Alliance* joined the two English men-of-war long time before the *Bon-homme Richard* did, she kept brought to windward of the enemies, at least at a gun-shot distance, in my opinion, and she as they put and laid to, on the other tack, where she kept her former position relatively to them,

them, and when the *Bon-homme Richard* had begun her fire on the *Serapis*, the *Alliance* fired a volley on the Countess of Scarborough, which answered her in the same manner: after which Capt. Landais kept close to the wind, and passed ahead of the *Pallas* (between her and the *Bon-homme Richard* engaged with the *Serapis*) going by, he hailed Capt. Cottineau, who could not hear what he said; and Capt. Landais fired a second volley at the Countess of Scarborough, which was at six hundred fathoms distance from the *Alliance*, according to the judgment of Capt. Cottineau.

"Article 12th. The *Alliance* having her tacks on board, remained windward of the *Pallas*, as she went before the wind to engage the Countess of Scarborough, which was leeward of the line; and Capt. Cottineau had no knowledge of what the *Alliance* did, but he heard distinctly a volley fired, when he believes she must have been nigh the *Bon-homme Richard* and *Serapis*.

"Article 14th. The *Alliance* bore away an hour after the engagement began, or thereabout, on the *Pallas* and Countess of Scarborough, at the instant she struck, at six or seven hundred fathoms distance from the *Bon-homme Richard* and *Serapis* (in the opinion of Capt. Cottineau.) Capt. Landais hailed the *Pallas* and Countess of Scarborough (which had then struck) but Capt. Cottineau could not hear what he said, and directly Capt. Landais had the tacks on board, to go towards the *Serapis*, engaged with the *Bon-homme Richard*.

"Article 24th. Capt. Landais said once, being off the coast of Ireland (in Capt. Cottineau's presence) on board the *Bon-homme Richard*, that he was the only American ship in the fleet, and twice (also in his presence) viz. being off Ireland, when it was proposed to go into Limerick-River, and at Fair-Island, when it was proposed to land on Shetland, that he was not under Capt. Jones's orders.

"There is, Sir, word for word, that which I intended to sign in the six articles of the memorial, which Capt. Jones presented to me; if the English phrases imply any other meaning, I except against them, because they might contain things different from those which are to my knowledge; and it is all I can certify, knowing nothing more for or against.

"If I did not mention the *Alliance*, in the relation which I sent, it was absolutely without any design, being persuaded she contributed in a great degree, in conquering the *Serapis*, though much less than the *Bon-homme Richard*.

"Moreover I must observe that the Countess of Scarborough received several shots in her starboard side, which she could not have received during my engagement with her, as I engaged her only on the starboard side. I have the honor to be, Sir, your most humble servant,

"Paris, March 8th, 1780. Translation. (signed) D. COTTINEAU.

Capt. Cottineau's fourth, ninth, and twenty-fourth articles, corroborate with that, which I said there about, that I would not break his Excellency's orders to me, in following Capt. Jones, unless he would send me written orders therefor: and that when the *Bon-homme Richard* and *Vengeance* appeared in the night to us, and Capt. Cottineau, supposing they would have proved enemies, asked me what I should do if the ship proved to be a sixty guns: that I answered, if she was above fifty, we had nothing better to do than to make the best of our way to avoid them: In his eleventh he is mistaken, as to the distance, which he could not ascertain, in the night, and being in the wind's eye, the Countess of Scarborough, eight leeward of the *Alliance*, in the beginning, and before the engagement: it is explained in the *Alliance*'s officers relation, which were in a better position to judge it. In his twelfth, he gives the reason why the *Alliance* could not engage the Countess of Scarborough closer, because, if she had bore on her to do it, she could not have fetched after, on the same tack, the *Bon-homme Richard* and *Serapis*: he explains likewise, that the *Alliance* remained windward, relatively to the *Pallas*, who bore before the wind. In the 24th he owns the *Alliance* bore upon him about an hour after the engagement began; but as she had bore away, first to go and rake the *Serapis*

Serapis (which took about a quarter of an hour's time to perform) it was then at most three quarters of an hour after the engagement began. Capt. Cottineau must be mistaken again, owing to the smoke or something else, as to the distance, he thinks he was then leeward of the Bon-homme Richard; for it should have been impossible for the Alliance to gain six hundred fathoms in the wind's eye, by such weather, to run two other tacks, tack about twice and bear away twice in that space of time, remaining until seventeen minutes past ten o'clock. It must be observed, by the by, that Capt. Cottineau owns that the Countess of Scarborough received several shots in her larboard side (three of which at her water line were plugg'd) he would not say they were sent from the Alliance, though no other engaged her on that side, he always took care to say, the Alliance was at a greater distance when she fired, than she really was, fearing to diminish his glory.

I was upon very indifferent terms with Mr. Cottineau, he being affronted because, during the engagement, I had told him to make more sail and go to engage the Countess of Scarborough, whilst I would go to the assistance of the Bon-homme Richard, as mentioned in the Alliance's relation.

Here follows another piece from Capt. Cottineau, wrote and sent to Mr. Le Ray de Chaumont, who showed it to Mr. de Sartine, the French Minister, and his Excellency B. Franklin, Esq; had it in his hands during three days to consider, viz.

" Extract of a letter from Mr. Cottineau, Captain of the Frigate Pallas, dated Nov. 15th, 1779, and his observations about the engagement on the 23d of September.

" The said Mr. Cottineau disapproved Capt. Jones's conduct, for remaining three weeks off Scotland, to burn Colier's vessels, rather than to go off Cape Muis, where he was ordered to cruise, warning him, that when one don't follow the orders he has, nothing but a complete success can justify him.

" The said Capt. Jones has basely and falsely charged Mr. Ricot, Captain of the Vengeance: he has likewise overcharged Capt. Landais with a number of complaints against him.

" The said Capt. Jones is at most capable of commanding a small privateer; one may judge it by the relation he has given about the engagement on Sept. 23d, against the Sarapis and the Countess of Scarborough; wherein he says, he made the signal for the line of battle, which cannot be formed but in consequence of the enemy's position, then there is no such line determined, therefore said Capt. Jones proves his incapacity.

" That engagement so famous, would have been less successful, if the Frigate Alliance had not raked twice the Serapis, and by that manœuvre had not destroyed 35 of her men; and Capt. Jones is wrong in saying that the Alliance was a second enemy against him.

" The said Capt. Jones has misrepresented the circumstances, in speaking of chasing the Baltic fleet, that fleet was four leagues wind-ward, and close to the land when the engagement began; after which there was a very thick fog that made the pursuit after the fleet impracticable; and moreover, Capt. Jones never made a signal therefor; that is not the only thing he did forget, as during the engagement, he forgot that his ship had a rudder and sails, since he made no use of either whatever; his only occupation then was to cry out fire, and to point himself a cannon, by which neglect he left the Serapis to rake him three different times, which killed, by that awkwardness, at least 40 of his men.

" If Capt. Jones, rather than go to the two Figates, which were going from the land, had chased the fleet, we would have come near, and the action would have been nigh it, and we might have joined it after the reduction of the two Frigates.

" *Had even Capt. Jones made any signals for the battle, the Alliance was in a position whence she could not perceive them. Said Capt. Jones has even neglected the proper means to put the wounded men on shore, and has left some to perish miserably in the ship.*

" *I certify, having in my hands the letter and observations, of which the above is an extract.*
" Passy, Jan. 7, 1780. (translation signed) Le Ray de CHAUMONT."

After all the proofs I and others had given to his Excellency Benjamin Franklin, Esq; of my dutifulness and good conduct in particular, during the last cruise, and proved the falshood of Capt. Jones's and his adherents accusations against me, &c. and that he had Capt. Jones's relation (authenticated by his name to it) printed, and had refused giving me his written approbation to have the Alliance's officers relation, signed by them, also printed. After his Excellency, against all right, had took the command of said Frigate Alliance from me to give it to my accuser, Capt. Jones (who was himself accused by Capt. Cottineau.) After I had heard by the verbal conversation, how manifest his Excellency was partial in favour of Capt. Jones and against me, I was convinced I could not expect any redress whatever from him. Being unwilling, on my side, to have a public dispute in a foreign country, in which I should not have failed to meet with justice and bring confusion on my enemies; but which might have hurt, in some degree, the common cause in which I was engaged; expecting, in America, to have justice done to me, I preferred to be a silent victim of powerful men 'til I came there, and to gather as many vouchers as I possibly could, of their unwarrantable abuse of power towards my destruction. I had wrote by the Marquis de la Fayette and by others, to Congress, and had sent thereby duplicate the relation, sketch, and certificates of the Alliance's officers and mine, relative to the engagement of the 23d September. I wrote,

February 10, 1780.

Please your Excellency,

I have been ever since January 15th ult. waiting for the favour of your answer to the letter I had the honor to send you the same day, and for the copy of the letter from Mr. de Sartine to you; in consequence of which you was so obliging as to tell me you would send me as I do want it, to write my justification to that Minister; I beg again you would send it with your order for me to stay in Paris til the time that, by your order, you procure me a proper passage to go to America (whilst the Alliance will be there) to be tried by a Court-martial, being the only judges I can have on such an occasion.

I have been detained here for nothing, I find, these three months past. When I arrived from Holland I expected some justice would be done, and I would be sent back to take the command of the Alliance, with the deserved glory of having, by my conduct in the engagement of Sept. 23d last, not only prevented the Bon-homme Richard to be taken by the Serapis, but also reduced and made that last ship strike; and that the malignant should be punished for having calumniated me! but it has been quite the contrary: to what is it owing to that the command of the Alliance has been taken from me, &c? When I departed from the Texel for Paris, according to your order, I brought with me only the necessary papers for my justification, and few cloaths, leaving on board the Frigate four trunks, containing my cloaths, books, sea-charts, mathematics, optics and astronomic instruments, all the ship's papers and my own private ones: as I must go to America to crave justice, and since I cannot go prudently there without the most necessary of those things, I hope you will procure me the money to buy them, having been deprived of those I had by following your orders; besides, I want some money for my daily expences.

I beg a favour you will send me the answer by the bearer.

I am with respect, your Excellency's most obedient, &c.

P. LANDAIS.

Hrs.

His Excellency did not send me the answer to that letter that day, but sent me at last the extract of the French Minister Mr. de Sartine's one to him, of which follows the translation, viz.

" Extract of a letter from Mr. de Sartine to Mr. Franklin, Versailles, Oct. 14, 1779.

" I am persuaded Sir, that you have not been less affected than me for the loss of the great number of French volunteers who were killed in the engagement of the Bon-homme Richard against the Serapis. That event is so much the more vexing, as it appears that, had the American Frigate the Alliance supported the Bon-homme Richard by engaging at the same time, the advantage gained by Commodore Jones would have been sooner, have cost less men, and not have put the Bon-homme Richard in the condition of sinking thirty-six hours after the engagement. The Captain of that Frigate having kept a conduct very extraordinary, I don't doubt, Sir, but you will call him near you to give an account thereof, and in case you should find that it is by his fault the victory cost so much blood, you will judge proper to acquaint Congress thereof, in order that they may have that Captain blotted out of their navy officers list.

" Copy examined

(Signed)

B. FRANKLIN."

Supposing that letter was wrote to his Excellency, on that date, by the French Minister, who being misinformed on that account, not knowing the truth then, he was right, in some respects, to recommend to his Excellency an inquiry, in order to know whether I was really faulty or not, but he was wrong in dictating an arbitrary act to his Excellency, who being the representative in France of a nation which was contending for their freedom, in which contest that nation was supported by France; and his Excellency should not have, against the principle that nation contended for, tyrannically put his lesson in execution without my being sent to America to be tried by a Court-martial, before I should be blotted out of Congress officers list: but his Excellency did not stop to the arbitrary dictate of Mr. de Sartine, which was conditional, being in case I had been found faulty, his Excellency, without Congress's order or assent, out of of his own will, against a great many authentic proofs, corroborating one with the others, my dutifulness and good conduct, and Capt. Jones's bad conduct in general, and particularly for the loss of those French volunteers, he tyrannically took the command of the Alliance from me, to give it to Capt. Jones.

Moreover it may be observed by the by, that the French Minister, did not even dictate the lawful course, he was to follow himself for the officers of the French Navy, in similar case, which is to send the faulty one to his own nation, to be tried there, by a Court-martial, and be condemned therefor: but dictated his Excellency, to write to Congress, in order that they should blot me out of their sea-officers list, without further punishment, as if he had nothing in view but to have me out of the American navy.

Another observation to be noticed in that French Minister's letter is, that, in speaking of the ship Alliance, he calls her an American Frigate, which, in French, imply a King or Republic ship from 20 to 60 guns: but speaking of the Bon-homme Richard, he don't say she was a French or American Frigate, or a French one in the American service, which he could not have omitted had she been either of the three. This particular, that she was neither, but that she was a privateer, appears to me fully corroborating with the extract of his Excellency's letter following in answer to Commodore Gillon, who had acquainted him of the English design (which they effected) to go and take Charlestown, in South-Carolina, and who asked for the command of the American fleet, composed of the Bon-homme Richard, Alliance, Pallas, &c. in order to go and release, or defend that city, viz.

" Pa. 22

"Passy" July 5th, 1779.

"SIR,

I received the honor of your's, dated the 29th past. The zeal you show for the relief of Carolina, is very laudable, and I wish it was in my power to second it, by complying with your propositions; but the little squadron which you suppose to be in my disposition, is not, as you seem to imagine, fitted out at the expence of the United States; nor have I any authority to direct its operations. It was from the beginning destined by the concerned, for a particular purpose. I have only upon a request that I could not refuse, lent the Alliance to it, hoping the enterprize may prove more advantageous to the common cause than her cruize could be alone. I suppose too, that they are sailed before this time. Your other scheme, &c.

"With great esteem, I have, the honor to be, Sir, your most obedient and most, &c.

(Signed)

"B. FRANKLIN.

"To Commodore Gillou, at Nantes."

"I do certify that the above is a true copy of Dr. Franklin's letter to Commodore Gillou.

(Signed)

R.d. IZARD."

Which above letter from his Excellency coincides with the French Minister's, to prove that the Bon-homme Richard, &c. was not a King's nor United States' ship, nor a King's ship in the United States' service, but that she was a privateer belonging to the concerned, as expressed in his Excellency's letter, who would not have made use of that derogatory mercantile denomination for man-of-war, instead of allied powers: another proof thereof is, that Capt. Cotineau told me he was concerned in the Pallas for the sum of eighty thousand livres, and the Vengeance was Mr. Le Ray de Chaumont's property: that the Bon-homme Richard was not reëtitled for the second cruize, as the King's ships are, by the direction of the Commander and Intendant of the harbour; and any stores she wanted out of the King's yard she could not obtain without Mr. Gowrlade (Mr. Le Ray de Chaumont's correspondent) had given in writing that he was bound for the payment thereof, and that Capt. Jones had no French commission since being in the Texel, where he could stay no longer by the winter season coming; a commission from the King was sent him there (for the cruize only) in case he should be compelled to go to Denmark or Sweden, to be received there.

But to acquaint the reader how I have heard (which I relate only as hear-say) that Capt. Jones became Captain of the Bon-homme Richard; that he had obtained from Congress, by the Hon. Robert Morris's influence, a commission of Captain of one of their schooners; after he was sent in the Ranger sloop of war to France, where he tyrannically used both his officers and seamen, particularly his First-Lieutenant, Mr. Simpson (of Portsmouth in Hampshire) which he had confined at Brest in a common prison, where were the common French seamen usually imprisoned for some crimes or others, during twenty-odd days, &c. at which treatment to Lieut. Simpson the other officers and crew were so incensed against Capt. Jones that they found means to drive him and Capt. Parke, his favourite, out of that ship, and the command of her was given to Lieut. Simpson, who brought her to America. Capt. Jones having no prospect then left to come safely and be employed there, as he had reason to think Lieut. Simpson's countrymen would show him their dissatisfaction for having used that officer as he had; but he had somebody or other to speak in his favour to Mr. de Sartine; besides, his Excellency, who has shown so much partiality in Capt. Jones's favour, and to whom he might have been recommended by his intimate friend, the Hon. Robert Morris, Esq; spoke, very likely, a word in his behalf to Mr. de Sartine, who wrote a letter either to his Excellency or to Capt. Jones, that he would procure him some employment; but by the indiscretion of some one or other, the French

French navy officers having had some intelligence thereof, gave to understand to the French Minister, that a man who bore such character as Capt. Jones did in England, was not fit to be admitted amongst them ; at which Mr. de Sartine was puzzled, knowing the combined power and influence of those officers in such case on one side, and on the other that Capt. Jones had his assurance to be employed, which, had Capt. Jones made public, might have given a shake to Mr. de Sartine. In order to avoid either, a plan was laid for obtaining a King's ship to fit out (the Bon-homme Richard was pitched upon) in order to go and land on some part of the coast of Ireland or other adjacent island : the Marquis de la Fayette, and part of the regiment he was Colonel of, were to go on board of her, the planner represented that the force of a single ship was too little to have any great effect, he had somebody then to support his representation, and the Alliance, Pallas, Vengeance, and Cerf, were ordered to l'Orient, where being all arrived and joined with the Bon-homme Richard, they were put under Capt. Jones's orders ; when all the expences for fitting out those vessels, were made, and they were ready, the plan of that expedition was dexterously printed in the English public news-paper, by which the execution of it became impracticable, whereof, I suppose, Capt. Jones did not grieve at, as he might have been embarrassed in putting it in execution, and would have had a superior on board capable of judging his conduct in this respect : but by that plan being abandoned, he remained, he thought, Commander of the little squadron, without any superior on board to censure his future deeds : the former plan being put aside, there was no immediate employment for those vessels, and if they had been disarmed, part of the expences for fitting them for sea, must have been totally lost, somebody of power or influence being well acquainted with the case, I suppose, associated together, and obtained them for a cruise, answering for them, and accordingly became concerned in that little squadron. But his Excellency, after the government had made over those vessels to private men, would have exposed himself in keeping any longer the Alliance, United States' Frigate, under the Bon-homme Richard, become, by the above-mentioned circumstance, a privateer, which happened during the time between the dates of his Excellency's first and second orders to me, relative to the Bon-homme Richard, therefore he took care in the last one, not to put me under Capt. Jones's command : moreover, Capt. Jones was, perhaps, acquainted with some of the concerned's transactions, which they might not chuse to have published, and had to pay for the sunk ship, the Bon-homme Richard, but by raising and supporting Capt. Jones, far above his desert, they avoided those dangers, as I suppose the King took the loss of that ship on government's account, on consideration of the unparelled bravery, his Majesty was taught to believe of Capt. Jones.

But it is certain that the French Minister did not appear by the following certificates, to believe wholly Capt. Jones's relation, and in particular that I was guilty in any respect whatever, viz.

" I do certify that Mr. Le Ray de Chaumont offered me the command of a Frigate under the orders of Mr. Landais, to go to the bay des Chateaux and Hudson's bay, with an American commission.

" St. Malo, April 19, 1780. (Translation signed) " GUIDELON, Lieut. of Frigate."

" I do certify that Mr. Le Ray de Chaumont told me he had proposed to Mr. Landais, to go to Norway, and if he would go there the Cross of St. Louis would be given to him.

" St. Malo, April 19th, 1780. (Translation signed) " GUIDELON, Lieut. of Frigate."

By the above certificate it may be judged whether Mr. Le Ray de Chaumont's proposals to Mr. Guidelon (which he made to me, and also others) were made by the Minister's agent.

agent, without his orders, or not, and if he gave orders to make such proposals to me, whether he thought me guilty, since his offers were rewards rather than punishment; but I refused all, being willing to accept nothing, but my command of the Frigate Alliance, and if I could by no means obtain it, my passage to America.

Whilst I was kept by his Excellency Benjamin Franklin, Esq; in Paris, I visited frequently the Honorable Arthur Lee, R. D. Izard, and Commodore Gillon, Esq; and spoke to them separately about his Excellency's despotic conduct towards me, and asked of them if they knew, or it was their opinion, he was invested with unlimited power by Congress, and whether he could take the command of a United States' man-of-war, given by Congress, to one of their Captains from him; and whether said Captain was not answerable to Congress for the man-of-war they had entrusted him with: all those gentlemen's answers agreed, and their opinion was that no power whatever could take such a command from such a Captain, without the formal process of a Court-martial, as dictated by the nautic law, and therefore the Captain was answerable for the vessel entrusted to him by Congress, until he had delivered her back to them or their Admiralty-board.

One day, after I had dined, at the Honorable Arthur Lee, Esq's, he told me he conceived how wrongly I had been used by my enemies in France: and added, that they had many friends in America, to whom they would write, and who would make interest there to justify their deeds against me; besides that, Mr. de Sartine, by all appearance, would also write there to the same purpose, and I should never obtain justice, therefore I had better deliver to him the commission I had of Congress; such a proposal offended me (as it showed me the little opinion he had of Congress' justice or sagacity, and of my delicacy in supposing I would not come to America, my adopted country, where I was naturalized, to be tried, in order to justify my former conduct) I told him that I wondered how he could ask of an officer of honour, to deliver his commission to him, and expect he would do it, rather than go and submit to the event of his trial, which would never vilify him more, let it be never so unjust, than to deliver his commission, to avoid it; but instead of giving up the point, he insisted more than before upon it, which made me leave him abruptly, and I never saw him since in Paris: had I been of a suspicious disposition, it might have created in my mind, without other foundation, that private orders had been given, to get rid of me, by some means or other, as my reward for having brought the ship Flamand and her cargo to America; for I could not comprehend what good my commission would have done him otherwise, but it would have deprived me of my right to claim for justice, the gratuity, my pay and prize-money owing to me, as a deserter who has abandoned his post, if I had given willingly my commission away: on the other hand, if he really wanted to give good counsel in telling me not to go to America, he could have done it without insisting on my delivering to him my commission, even if I had desisted from all claim, I could have kept it without being a great burden to me; but I must suppose he had his own views in it, which I could never guess at, fearing to offend somebody or other in thoughts.

At last I received his Excellency's answer to my letter to him, dated February 13th, 1780, of which follows a copy, viz.

“ *Pessy, February 12th, 1780.*

“ *S I R,*

“ *You are pleased to blame me in your's of the 10th instant, for your long stay in Paris, I have not heard of any opportunity you have had of going to America, and if you had been there, you must have waited there as long for the arrival of the Alliance, before you could have had the Court-martial you desire. There seems then to have been no time lost.*

“ *When*

"When you desired me formerly to order your things to be taken out of the Alliance, I answered, that if you chose to have them taken out, it was proper for you to give such orders, and appoint some friend to receive and take care of them for you; that the ship lay there a long time after; I now acquaint you that she is probably at l'Orient, where you may take the same step if you approve of it.

"You received money for your expences to Paris, from M. Neuville; you have had since, a considerable sum for your expences here, of Mr. de Chaumont, and will undoubtedly receive more if necessary, for that purpose: but to furnish you with money to buy things you say you have lost, and which you might have had, and may probably still have, for asking; I do not see the necessity or reasonableness of it.

"If you call on Monday morning for the remaining papers, and bring with you those I have already certified, that I may have them tack'd together under one seal, you will be then possessed of the whole you ask.

"I am, Sir, your most obedient, &c.

(Signed)

"B. FRANKLIN."

I wrote to him the following, viz.

Paris, February 28, 1780.

May it please your Excellency,

In the answer you favoured me with, the 12th Feb. last, you say that I am pleased to blame you; I beg your pardon, it does not become me to blame; but I must say, that I have been detained here until now, by your order, and I ask for a passage, and at the same time for your order for my staying here all this time, since you have in your hand the first order you gave me on that purpose. When I asked of your Excellency the favour to order my trunks, &c. to be put on shore, since you had been pleased to give the command of the Alliance to Capt. Jones, which had been confided to me by Congress, your Excellency told me to write to him myself for them: I observed to you the impropriety of my writing to Capt. Jones in the present circumstances, and that they could not be landed without his consent; the same difficulty remains yet.

Your Excellency says that I have received a considerable sum of money: the money which I received I spent coming from Holland; and the sum for part of the time I have stayed in Paris, since I arrived here by your order, is but fifty Louis-d'ors, besides what I received in Holland.

As to any other money, your Excellency knows I received none, not even a coat, or a suit of cloaths that was offered me in Brest from your Excellency, by Mr. Adams, on account of what was owing to me, which I thought was not acceptable. I have spent a great deal for my expences in the ship's service, postage of letters from your Excellency and agents, &c. and have never charged or received a farthing on any account; therefore I beg, as a favour, that I be paid what is due to me for prize-money, and months pay while I am in France, that I may remit the money I have spent all that time, where I draw'd it from: your Excellency sees by the above, I ask for a passage to America, my adoptive country, for to be tried, an order for my staying here 'till I go there, my trunks to me remitted at the agent, sealed up, for I will not receive them 'till I have seen whether all what I left in them is there still, or your Excellency's refusal, in writing, to those demands, you will not think proper to grant me, if any.

I am your Excellency's most obedient, &c.

P. LANDAIS.

Answer, viz.

"S I R,

"Passy, March 1, 1780.

"I received the answer you did me the honor to write to me the 28th past.

"Enclosed I send you the certificate I gave you the last time I saw you, to justify your stay in Paris till the time of its date. You left it on the table.

"As I do not understand that Capt. Jones has refused to deliver your things, or that any application has been made for them, an order to him from me seems unnecessary. I am persuaded that if you send an inventory of them to any friend you may have amongst the officers of the ship, or in l'Orient, empowering him to receive them, you may have them without difficulty.

"I suppose that beside the money you received in Holland, and the fifty Louis-d'ors here, you have had since 100 Louis more, to defray your expences in coming from Holland, staying here, and going to America, which I imagine is sufficient. As to your prize-money and wages, the payment of them does not belong to me.

"It is not in my power to give you a passage to America; many vessels are now going, and if you have a desire of rendering yourself there to obtain a trial, you may doubtless easily find a passage amongst them.

I have the honor to be, Sir, yours, &c.

(Signed)

B. FRANKLIN."

"On my arrival from Holland to Paris, his Excellency Benjamin Franklin, having not received yet any charges against me, and fearing, I suppose, I would go back on board the Alliance, at Texel, he gave me his written order to stay in Paris; as he had kept me there about four months, I asked of him for a written order to justify my staying there all that time; he told me to bring to him the first one he had given to me on the same account, because he wanted to have its date and purport, to make another similar one, which I did, he told me he would deliver them both to me the next time I should go to Passy, which he did not; but instead of the order he had made me return to him, and which he kept, he sent me the following certificate, antedated of 17 days, viz.

"Passy, Feb. 14, 1780.

"do certify whom it may concern, that the stay of Capt. Landais til this time in Paris, has been necessary, partly on account of the inquiry into his conduct in the last cruize, and partly as there has been no good opportunity, to my knowledge, for his going sooner to America.

(Signed)

B. FRANKLIN."

Answer.

Paris, March 10, 1780.

Please your Excellency,

I received the letter you did me the honor of writing to me the first instant, and the enclosed certificate, dated Feb. 14, 1780, it might have been on the table when I was at your house, but I don't recollect of having seen it at all.

I must observe that before that time, I had asked of your Excellency for some money, having long since spent the remaining of the fifty Louis-d'ors, after I had reimbursed myself of what money I had took out of my own pocket for coming to Paris.

I have none of the officers on board the Frigate Alliance, now under my command, nor friend enough to ask them to take the trouble to have my trunks landed and delivered to my direction; beside, they don't know, nor myself neither at present, what they contain; all I know is, that all the ship's papers were in them, and I will not make myself accountable for the ship's expence accounts, when I may have been deprived of them; beside, all my own things may have been plundered, and nothing but the trunks left. The Captain and officers are under your orders, and will obey them as soon as your Excellency will take the trouble to write to them to have the said trunks, &c. sealed up and delivered to the agent at l'Orient, where I expect to go and search whether they are as I left them. for I have to deal with people who have not the best character in England, according to their public papers: it was not so either in England or France before your Excellency had a letter filled with falsehood, from Capt. Jones, printed against mine. For my part, I don't judge in the present circumstance, but will

not

not confide any more in them. If your Excellency had wrote to me at Texel, that the command of the Frigate Alliance was to be taken from me and given to another, I would have spared you such trouble, but I came as you directed me—confiding in your justice.

As to the Dutch money I received in Holland, and that which I received since in Paris, I am going to make a short account of what I have spent out of it, viz.—In Holland to go twice from the Helder to Amsterdam, and going back once; for twelve days during my stay in Amsterdam, being two different times there, and travelling through Holland, I spent all the Dutch money I had received: I spent out of my own pocket money travelling through Flanders and France coming to Paris, nineteen Louis-d'ors, so remained but thirty-one Louis-d'ors of the fifty I received first for my daily expenses. I have been here four months, and compelled to go to Passy may be twenty times, and hire every time a coach, which expence amount to fifteen Louis-d'ors; my expence for myself and servant for living, lodging, firing, &c. during four months, amount to about sixty Louis-d'ors; and I find I have spent ten Louis-d'ors for other small expences, so I have now left sixty-four Louis-d'ors: I shall spend five and-twenty more to go where I may find a ship; then I will have for provisions, &c. twenty-nine Louis-d'ors; so I wish your Excellency would be so obliging as to tell me what I must do for my passage, if I find one, which I have wrote for: for all, I believe it ought to be procured for me by your Excellency's order, as is usual amongst all nations, to provide proper means for an officer to go to be tried when accused, even if he has been punished before hand for what he is accused of, without proper method.

As to my prize-money, I wish your Excellency would be so obliging as to let me know whom I must apply to for receiving it, that I may reimburse the money I have borrowed and spent since I have been in Europe. I don't imagine your Excellency would have me receive in America, in paper money, what came to my share for the prizes sold in Europe for hard money, it should be a poor trade, and I doubt that my friends would accept it in return for the money I have drawn upon them. Excuse my error if you please; but I was told by somebody that the Bon-homme Richard, &c. were belonging to Congress; that you or the Congress' agent, had them at your command. When I have ask'd your Excellency for my monthly pay, I thought it just, as I have received none since my arrival; and what I have spent has been chiefly when I was on the ship's duty, postage of letters, &c. But your Excellency don't judge it proper.

I am sorry to hear your Excellency says tis not in your power to give me a passage for America. I beg of your Excellency to consider your power, and recollect that by it you had me drawn from the ship the Hon. Congress had entrusted me with, and that you gave and left it to my accuser, who is accused by Capt. Cottineau, in a letter you have had in your own hands; recollect too, if you please, that I have shown you my commission and naturalization in America, where I must be judged. If your Excellency will not procure me a passage for going there, I must at least give you my humble thanks for your advice upon the many vessels you say are bound to America.

I am your Excellency's most, &c.

P. LANDAIS.

I received the following, viz.

“ P' Orient, March 5, 1780.

“ DEAR SIR,

“ I have by this occasion to assure you, that I entertain the same respect and friendship for you, that I had during your more fortunate days, and I do most freely confess, in spite of your enemies or misfortunes, that I am deeply penetrated with very exalted sentiments of you, as a man of virtue, humanity and courage,

Gatin

"Capt. Jones has the art of making himself feared on board, but not of being beloved, rather the contrary. Were you to know the difference wrought in the minds of your officers respecting you, it would be pleasant; they now see and confess they did not know when they were well; some of them are continually throwing out hints against their present Commander, and there is absolutely too much discord on board for the public's benefit; this I confess I am sorry for, and I always endeavour to discourage it; for whatever personal dislike we may have for a man in such station, I think it ought not by any means, to interfere with our duty; and every one knows what a pernicious effect a single word dropped by an officer may have in a ship's company; but for our crew, their hearts always were, and are stronger than ever for you, and they express it loudly.

"I am Sir, your most, &c.

(Signed)

"N. BLODGET, Purser of the Alliance,"

Having received no answer to the letter I wrote the 10th instant, to his Excellency, I wrote the following, viz.

Paris, March 11, 1780.

Please your Excellency,

You called me from my command of the American Frigate Alliance (which the Honorable Congress had confided to me) upon some false accusations, which none but a Court-martial can judge, and have given the said command to my accuser: you have kept me here four months, I do not know for what. As it may be said in America, that it is my fault if I have not the same command again, by not having asked for it, that it should have been given to me back, even that it was offered to me; therefore I beg as a right, your Excellency to give me again the command of the Alliance, or give me your refusal of doing it in writing, from your own hand, that I may have it to show to Congress. I know that the officers and crew wish for me, and hate their present unlawful Commander.

I beg as a favour, you will be so good to send me a positive and clear answer on this subject.

I am with respect your Excellency's,

P. LANDAIS.

I received the following answer, viz.

"Passy, March 12, 1780.

"S I R,

"I received this day, the two letters you did me the honor of writing to me, dated the 10th and 11th instant.

"Having already twice answered very clearly and explicitly your demands about your things, it seems unnecessary to say any thing further on that head. I have written long since to Capt. Jones, to deliver them to any person you may authorize to receive them; if you please you may give that authority to the agent you mention.

"I have also already often answered your demand of my procuring for you a passage to America.

"Mr. de Chaumont having had the payment of all expences in equipping the squadron, will, I presume, have the payment of the prize money, none of it will pass through my hands.

"After the continual quarrel between you and the people of the Alliance, from the time of your taking the command of her at Boston; after the repeated complaints made to me by you of the officers, and by the officers of you, during all the time from your arrival in Europe, to your departure on your last cruise; after having acquainted me in writing, with your resolution not to continue in the command with such officers, and expressing the same disposition in discourse to Mr. de Chaumont; after he, as you say, four months in Paris, in all which time you never gave the least intimation of a wish

wish to return to her, nor desired any thing of me relating to her, but to have your things out of her; it is really surprising to be now told that the officers and crew like you for their Captain, and that they hate their present commander (of whom however they have not made to me the least complaint) and to have for the first time, a demand from you of being re-placed in that ship, made only when you know she is just on the point of sailing; the demand, however, may perhaps be made chiefly for the sake of obtaining a refusal, of which you seem most earnestly desirous, as the having it to produce may be of service to you in America, I will not therefore deny it to you, and it shall be as positive and as clear as you require it. No one has ever learned the opinion I formed of you from the inquiry made into your conduct; I kept entirely to myself; I have not even hinted it in my letters to America, because I would not hazard giving to any one a by as to your prejudice, by communicating a part of that opinion privately to you, I can do you no harm, for you may burn it. I should not give you the pain of reading it if your demand did not make it necessary: I think you then so imprudent, so litigious and quarrelsome a man, even with your best friends, that peace and good order, and consequently the quiet and regular subordination, so necessary to success, are, where you preside, impossible; these are within my observation and apprehension: your military operations I leave to more capable judges. If, therefore, I had twenty ships of war in my disposition, I should not give one of them to Capt. Landais: the same temper which excluded him from the French marine would have weigh equally with me; of course I shall not re-place him in the Alliance.

"I am assured, however, that as Captain of a merchant ship, you have two very good qualities, useful to your owners, economy and integrity: for these I esteem you, and have the honor to be, Sir,

"Your most humble, &c.

(Signed)

"B. FRANKLIN."

"P. S. I have passed over all the charges made or intimated against me in your letters and angry conversations, because I would avoid continuing an altercation, for which I have neither time nor inclination. You will carry them to America, where I must be accountable for my conduct toward you, and where it will be my duty, if I cannot justify myself, to submit to any censure I may have merited. Our correspondence, which cannot be pleasant to either of us, may therefore, if you please, end here."

Such an insidious, insulting letter could be devised, digested, and wrote but by his Excellency Capt. Jones or their equals; I am going to make some remarks thereupon, and leave the rest to the sagacity of the reader to scrutinize, by which he may form his judgment of its author.

1st. It may be observed that his Excellency in saying he had wrote long since to deliver the things I had on board the Alliance, hints that I must know it, though he never before told me thereof.

2dly. By his Excellency's way of expressing himself, it may be understood that he had procured for me a passage to America; which he never did.

3dly. It was then, and it is still his Excellency's duty to have the Alliance's officers and crew, paid their prize-money, by Mr. le Ray de Chaumont, since upon a request of some concerned in fitting out the Bon-homme Richard, &c. he had lent the Alliance, with her officers and crew, to them, and had ordered the prizes to be delivered to said Mr. le Ray de Chaumont, or his correspondents.

4thly. His Excellency says that I and the people of the Alliance were in a continual quarrel together, from the time of my taking the command of her at Boston. Though I never complained against the foremast men (who must be understood by word, people) on my account, nor heard that they had complained of me, and he proceeds saying, that after the repeated complaints made by me to him of the officers, which cannot be, as I wrote to him only one letter on that topic, by

which (as well as I remember, the minute of that letter being lost) I acquainted him that I preferred to see another command the Frigate Alliance, rather than to continue in her with such officers as those, and I acquainted thereof, likewise, M. le Ray de Chaumont, as being his agent ; but by his Excellency's order to Capt. Jones, a court of honor was held at l'Orient, in order to judge between the officers and me, whose report to Capt. Jones was, that the officers had no sufficient reasons to complain against me ; which report I suppose Capt. Jones transmitted to his Excellency ; if he did not, I told him of it, and that the First and Second-Lieutenants having left the ship on the 17th June, 1779, the other officers had behaved better the last cruize, and therefore the same cause was extant no longer, which his Excellency knew very well ; but he grasped at any thing to justify his taking said command from me ; and what proves more the inconsistency of what he says, with his judgment, is that if the officers had had any reasons to complain against me, it would have given still more force to their certificate, of my good conduct during the engagement of the 23d Sept. His Excellency says, that *I never gave the least intimation of a wish to return to the Alliance during the four months I had been in Paris* ; though all my conversation with him implied it, being on that topic, and which is expressed in several of my letters to him, asking him by what right he had took the command of the Alliance, and kept it from me, by giving it to Capt. Jones. Moreover, it was his own duty (since he had ordered me to leave her to come to Paris, where he kept me by his orders) to order me to go back to my office on board of her. His Excellency says, with the same assurance, that *I made the demand of being re-placed in that ship, when I knew she was just on the point of sailing* ; though three months after, when I resumed my command of her, she was far from being ready to sail. His Excellency says that, perhaps, my demand is chiefly made to obtain a refusal, which may be of service to me in America ; and after having said a parcel of things, as the opinion he formed of me, he proceeds and says, I may burn it ; what a paradox ! for if I had burnt it, it could not be of any service to me in America ; indeed, I suppose, he made said-refusal, as he did, on purpose that I might be ashamed to shew it, and would burn it ; but as it was made thus by him, and the reason why he made it thus, may be seen through better than it can be explained. I am very far from being ashamed to shew it, but I should be, if it had been made by any man less partial than his Excellency.——His Excellency says, he thinks me so imprudent, so litigious, and quarrelsome, &c. if his Excellency means that I was imprudent in taking the command of the ship Flamand, and brought her to America, upon his bare word, that I should receive twelve thousand livres therefor, as soon as arrived there ; if he means that I was imprudent to come from Holland to Paris, on his promise of justice ; if he means that I was imprudent to deliver to him the orders he had given me to stay in Paris, which he kept, and gave me only a certificate therefor, he is right ; his Excellency is also right, if he means by litigious, that I would not obey Capt. Jones's verbal orders, in preference to those I had received from his Excellency ; if he means that I found and proved that which he had told me was not as he had said, but quite the contrary ; if he means that against his intention and others, I gave him so many authentic proofs of my good conduct before, during and after the engagement, on the 23d 1779 : if he means that I proved Capt. Jones and abettors' charges against me, were groundless ; and moreover, the bad conduct of Capt. Jones, all along, he is right.——His Excellency is right, if he means by quarrelsome, that I feel and resent any insult done to me by men who have any principle, and ask satisfaction of those, but when they have no honor, and refuse it, I despise and overlook them.——His Excellency says, those things are the opinion he formed of me, but if his opinions proceed from his mind, and his mind is bad, I cannot help it, but will not be judged by his opinion only, as there are im-

partial

partial judges.—His Excellency hints *my demand has made it necessary that he should give me his opinions of my dispositions*; I never asked for his opinion, but asked for the command of the Alliance, or his refusal thereof, but as he was not willing to give it me back, after all he had done to deprive me thereof; he must, to justify his refusal, find fault with my dispositions since he could not find any in my service.—His Excellency says, *As to my military operations, he leaves them to more capable judges than him.* I think he had no more power from Congress, to judge my dispositions of temper, than my military operations, ; but what was his intention to call me from my command in Holland, to Paris, to judge my military operations, if he was not empowered by Congress and his own faculties; and if he is not capable, with all his might, to find fault with my military operations, why does he keep me from my command, and leave it with Capt. Jones, who is really accused by me and others.—His Excellency says that the same temper which excluded me from the French marine, would have weight with him. What does he mean by that? does he want to give me also a bad character whilst I was in the French service, upon no more ground than he has done in the American one? I defy him and any other whosoever, to prove any thing against my official, public or private character, during the time I was in the French service, before or after; I have no good foundation to say as much of him, and should be afraid to be really proved imprudent, if I did; but I was never excluded the French service, as is proved by the King's certificate hereafter; and the French Minister's indirect offers, I have given heretofore, and others I will give hereafter, to make me return from the American service into the French one.

5thly. His Excellency says that *he is assured I have two good qualities as Captain of a merchant ship, œconomy and integrity.* I always thought either were very essential to be in a Captain of man-of-war, or I could or would never have accepted such a command; and both more necessary still on board a republic one, because if I am not mistaken, œconomy saves the republic's property; besides, in his Excellency's letter to me at Brest, Feb. 16th, he recommended to me to be very moderate in my demands for refitting the Alliance; and in answer to my demands of absolute necessity, to refit her; in his letter also at Brest, March 4th, he said, I am afraid you will contrive to make such expences, that being unable to pay, I shall be obliged to sell the Alliance, and therefore œconomy was recommended by him to me, which he cannot blame in a Captain of man-of-war, without being inconsistent with himself. Integrity, if he was capable to conceive it, as I do, implies justice and honor, which are most requisite in a Captain of man-of-war, and particularly in a Captain of a free people, more than in any other, as there are a number of freemen under the Captain, who is invested with all powers whatever, legislative, military jurisprudence, &c. &c. until his return to his country, when and where he is accountable for the use he has made of such extensive a power, before his superiors and peers; therefore an arbitrary or tyrannical man ought to be excluded from such office, and a man of integrity, preferred to him. But his Excellency preferred Capt. Jones to me, I suppose, because their principles agreed better together.

6thly. His Excellency says in his postscript, that he passed over the charges made or intimated against him in my letters, because he could not with all his art, vindicate them, as they were palpable. Here follows the King's certificate of my conduct in his service, wrote, as it is, in French, viz.

“ *De Par Le Roy.*”

“ *Il est Permis au S. P. Landais nouvellement nommé Lieutenant de Port a Brest de se retirer de ses*

service que ses affaires ne lui permettent pas de Continuer, sa Majesté étant satisfaite des services qu'il a précédemment rendu en qualité de lieutenant de Frigate & de Capitaine de Brulot.

" Enregistré au Contrôle de la Marine

fait à Versailles le 8 Janvier, 1775.

" à Brest le 16th Janvier, 1777.

Copy.

(Signed)

LOUIS.

" (Signed) Molinot.

et plus bas

De SARTINE.

Which translated in English is as follows, viz.

" By the King.

" Mr. Landais newly promoted Lieutenant of the harbour of Brest, is permitted to withdraw from the service, which his own business does not admit him to continue. His Majesty being satisfied with the services he has formerly rendered him in the office of Lieutenant of Frigate, and of Captain of fire-ship.

" Registered in the navy Contrôle,

at Versailles, January 8th, 1775.

" Brest, January 16th, 1777.

Copy.

(Signed)

LOUIS.

" (Signed) Molinot.

and under

De SARTINE."

Seeing that I could expect neither justice, redress, passage to America, pay, nor prize-money, from his Excellency Benjamin Franklin, Esq, I left Paris, and went to l'Orient.

As soon as arrived there, I went to pay my visit to Mr. Thevenard, Commander of the harbour, at that time ; he told me if I had a mind to have the command of the ship of war, Serapis (which had been brought into that harbour) he would help me to obtain it ; I represented to him I could not, as I was in the American navy, and that charges against my conduct in that service, having been published in the papers, the command of the Alliance taken from me, my only wish then was to go to America, to justify myself on all accounts whatever, before those that had entrusted said command to me ; he replied, as to what was printed against you and made public, it is easy to mend it by having your justification, and as much praise in your favor printed in the same paper ; but if you go to America for justice, it will be easy for those who have prevailed, to have the Alliance taken from you, by their influence, to have you also sacrificed there ; I said I expected more justice there, than that came to, but even if it proved so, it was my duty to go there, at all event.

Some days after, during my second visit to Mr. Thevenard, he was more explicit, and told me that if I would have the command of the Serapis, I might, as he had it in his hand ; it was his words ; meaning, I suppose, that he was empowered by the French navy's Minister, to give it me ; my answer was similar to the one I made on my first visit, and that I must go to America : he replied, I could not go there, as I should be prevented, and that all my steps were watched ; I turned it into a joke, asking him if his spies had reported to him, whether I kept bad company or not ; he said he was convinced I kept no bad one, but that I should not go to America ; I told him that he might do his duty, in his service, in preventing me, and that I would do my utmost in the American one, in order to go there.

The King's certificate is an evident and undeniable proof that I was not excluded the French service, as hinted in his Excellency's letter, and the offer of Mr. Thevenard is a new semi-proof that I was wanted to return in it. Moreover, it may be observed, that all the precautions were taken to prevent my coming to America, my enemies fearing that I would obtain justice there.

On my arrival at l'Orient, the officers testified to me the desire they had that I would resume my command on board the Alliance. And her former crew which had served under my order, swore loudly, in the streets, they would never sail on board said Frigate, under any other Captain but me.

Receiving such an invitation from the officers and crew of the Alliance, daily, and considering

considering myself as being the only one entitled by Congress, to command her ; and moreover, having received the following, viz.

“ Admiralty-Office, Philadelphia, April 1st, 1780.

“ S I R,

“ The Board of Admiralty of the United States, having given orders that the Continental Frigate Alliance, should return to this port, &c.——— and this letter will be a sufficient authority for your acting agreeable to my request.

“ I am, Sir, your humble servant,
“ Capt. Peter Landais, or the Commanding
Officer of the Continental Frigate Alliance.”

(Signed) JOHN BROWN, Sec'ry,
(of the Admiralty-Board of the United States.

I wrote the following letter to his Excellency Benjamin Franklin, Esq, at Passy.

May it please your Excellency,

I have been waiting ever since I came to l'Orient, for your order to me, to take the command of the Alliance, thinking you could have reflected how she was taken from me. I should look upon myself culpable to remain a tame spectator, while my authority on board her is usurped by another, since I have been placed to that command by a resolve of the honorable Congress. It appears to me upon consideration, that nothing can authorize your Excellency to this proceeding of displacing me ; I am persuaded that even the Congress themselves would never pretend to exercise a power so arbitrary as to overthrow their officers without trial, were their reasons ever so well founded, much less upon a parcel of scandalous charges, invented to cover the ignorance and misbehaviour of a man who would sacrifice the reputation of the officers and men of a whole fleet, to establish himself.

I consider it my duty to return to my station on board her ; I know of nothing that I have done that can justify your detaining me from this ; I am responsible to them that entrusted the ship to my charge, to return her to them again. If you have any express authority for depriving me of my command, I must beg a copy of it, and will pay due obedience to it ; otherwise I must consider myself as Captain of the ship, and I beg that Dr. Franklin will not encourage any body to interfere with me in my duty, but give me all the assistance in his power.

It appears moreover that I am considered as Captain of the Alliance, by the Admiralty-office of the United States, by the letter which I have the honor to enclose your Excellency a copy, (as the above letter) I must beg a speedy answer to this, and if your Excellency is determined to withhold me from my station, you must be answerable for any disagreeable consequences that may take place, which I would wish to avoid.

I am your Excellency's most obedient, PETER LANDAIS.

l'Orient, 29th May, 1780, and duplicate the 30th instant.

P. S. I have received testimonies from my officers and men on board the Alliance, that they would be glad to have me return to my command.”

His Excellency Benjamin Franklin, Esq; Minister Plenipotentiary.”

The remaining part of the Alliance's crew, which had served on board said Frigate, wrote a letter to Dr. Franklin, of which follows an extract, viz.

“ Ship Alliance, 1st June, 1780.

“ May it please your Excellency,

“ Once more to bear the humble petition of the marines and mariners on board the Continental ship Alliance, now being in the port of l'Orient.

“ Excellent Sir, having repeatedly petitioned your Excellency on this subject, &c. and also to restore to us our rightful Commander, under whom we entered and are willing to serve, as we are conscious he is undeserving the aspersions that are cast upon his character, and reflects cowardice upon ours ;

ours ; whereas on the 23d September had been managed according to his direction, no ship would have been lost, nor so much blood spilt, and the ships taken with less damage.

" We are fully persuaded, that had we not left the Scarborough to the Pallas the moment we did, the Bon-homme Richard must have struck or sunk, which is the opinion of many of the Richard's crew.

" Moreover, if our request is granted, most of the Americans who are lately from prison, will be content to serve their country under him : at present we are unanimous in our resolve, to claim our rightful Commander, as he had done nothing wrong, and provided he is culpable, let us take him home to be tried by the laws of our country.

" If this be not granted, there will be a greater uneasiness among us ; we therefore hope your Excellency will consider the matter well, and send us a satisfactory answer to Mr. Benjamin Pierce, as we once before desired, as a receipt will only add to our distress. N. B. His Excellency had only acknowledged the receipt of a former letter by his receipt.

" Signed by the whole of the crew formerly of the Alliance, being an hundred and fourteen.

" P. S. Some of the crew of the Bon-homme Richard signed the original unknown to us, which were erased out, most of them were anxious to sign the same."

The officers of the Alliance wrote the following to Dr. Franklin, viz.

" Please your Excellency,

" We had the honor of addressing your Excellency the 31st May, in which we gave some account of our present situation, and requested your Excellency to have us paid off and sent home with all the expedition your Excellency could afford us. We made also some mention of our Capt. Landais, whose loss we regretted, and under whose command we wished to return to America : as we did not then express our minds fully on that subject, we beg leave to do it now by representing, to your Excellency, that we have reason to think there never was a ship's company of officers and men, more unanimous for a Captain than the Alliance's in this instance for Capt. Landais ; and since Congress has given him so good a right to command us, we hope your Excellency will condescend to restore him to us. It was always our opinion, that he was a capable and good Captain ; his behaviour in the engagement was such as certainly evinced it. The aspersions of his enemies may have prevailed over your Excellency's goodness ; but your Excellency may believe us sincere when we assure you that we all, fore and aft, wish to see him reinstated : we would also beg leave to represent to your Excellency that, according to the customs and regulations of our navy, we hold ourselves bound to obey him and no other as Commander, while our engagement continues, unless he is removed by the forms proscribed in our rules.

" Your Excellency's kind indulgence in the few reasonable things we have presumed to ask, will restore to us tranquility, and induce us to return your Excellency our unfeigned thanks.

" We are, with the profoundest respect, your Excellency's most obedient and most humble servants,

(Signed)

" Thomas Elkwood,
N. Blodget.

John Darling,
Isaac Carr,
Thomas Hinsdale,
Arthur Robertson,
Chap. Bangs,
James Degge,
James Lynd,
John Larcker, jun.
Benjamin Pierce,
James Bragg."

The officers of the Alliance wrote me the following.

" We the officers of the ship Alliance, considering you as our proper Commander, since we know of your being appointed to this ship by resolve of Congress, desire to acquaint your honor that we have wrote to his Excellency Dr. Franklin, praying that you may be restored to us ; and our sentiments are, that no other can be placed in your station but by the authority of Congress.

" We do now acknowledge you for our Captain, and we will continue in the same mind 'til we see me power from the Congress sufficient to change our sentiments.

" We

" We attend to your orders, and shall be ready to receive you whenever you please to honor us with your presence on board.

" We are, with the greatest respect, your most obedient and very humble servants,

Copy.

(Signed)

Benjamin Pierce,
James Bragg,
John Darling,
Thomas Hindsdale,
Isaac Carr,

James Degge,
John Buckley,
James Lynd,
John Larcher, jun.
N. Blodget,
Thomas Ellwood.

" l'Orient, 12th June, 1780:

" To Peter Landais, Esq;,"

Having received the following receipt for my letters, " l'Orient 29th and 30th May, to Dr. Franklin. viz. Recu de Messrs Frin et Co. Banquiers a Paris, deux lettres a l'adresse de son Excellence M. Franklin, venant de l'Orient, a Passy ce 6th Juin, 1780.

Copy.

(Signed)

W. T. FRANKLIN.

Which translated in English, is, *Received by the hands of Mr. Frin and Co. Bankers at Paris, two letters from l'Orient, directed to his Excellency M. Franklin.*

Passy, June 6th 1780.

(Signed)

W. T. FRANKLIN.

—But no answer to said letters. I applied to Commodore Gillon, and to the Honorable Arthur Lee, Esq; represented to them my case, the officers application to me for resuming my command on board the Alliance, and her crew's desire to be under my command; as also my receiving a letter of John Brown, Esq; Secretary of the Admiralty-Board at Philadelphia, by which he applied to me, as Captain of said Frigate; and begged they would give me their opinion, whether I had a right to resume said command; they gave me in writing their opinion on the matter, of which follow the copies, viz.

" S I R,

" From the contents of your letter to this date, and from what I have repeatedly been acquainted with since you have been deprived of the command of the Continental Frigate Alliance, I conceive it to be my duty, as an officer and as a citizen of America, to form my opinion on the case in question, conformable to the rules the rulers of America have established for our guide; they are just, they are clear, that no commissioned or warrant-officer can be discharged but by a Court-martial, composed of such officers as in the rules of the navy are mentioned.

" You tell me you have been drawn out of your ship, that you have not been suspended or put under any arrest by any superior officer, that you have not seen or known of any order of the Honorable the Continental Congress, to divest you of your continuing in the command of their ship Alliance, and that an officer in the commission of Congress, has assumed the command of her, you do not know by what right, and that his Excellency Benjamin Franklin, Esq; has not furnished you with a copy of any orders he may have received from Congress, entitling him to dismiss you, and to appoint another officer to command her, though you have repeatedly applied to him for them, and for his direction for you to go on board of the ship he ordered you out of.

" You also say, that your officers and men are unanimously ready to obey no Captain but you, without they are convinced you are dismissed conformable to the rules of the Continental navy.

" Every officer has a right to demand by what authority he is commanded, and every officer complies with pleasure; it is a matter which concerns every officer in the American service, and every free man, that no man shall be judged or punished but by the laws of the land; it is your case, it may be theirs or mine to-morrow; thus they should be cautious how they encourage a precedent, which,

perhaps,

perhaps, the next day may be put in force against themselves. Your mens zeal is also a proof of the true Republican spirit that reigns amongst all classes of Americans : this friendly step of your officers and men, never appeared to me necessary, as from the foregoing reasons I am clear of opinion, that without positive and lawful orders to the contrary from your superior officers, or from Congress directed to you, you are in honor and duty bound to directly take and keep command of the said Alliance, and restore her to those who commissioned you conformable to your original orders from them, and conformable to the letter of Mr. Brown, Secretary of the Navy-Board of Philadelphia, directed to you, you are looked upon as Commander of the said Frigate.

" You do me honor in asking my opinion, I give it you with candor and with pleasure, and I moreover think you are answerable for that ship if you do not directly take command of her. Your better judgment will point out to you what method to pursue for the peace and safety of your ship after you are on board ; thus in her I wish you more tranquility than you have experienced since you was drawn out of her, and wish you every success you, your officers and men merit.

" I have wrote fully on this business to Dr. Franklin, and enclosed him a copy of this my reply to your favour of this date.

" With all due respect, I have the honor to be Capt. Landais' most obedient and most humble servant,
(Copy signed) " A. GILLON, Commander of the navy of South-Carolina.

" L'Orient, 12th June, 1780.

" Peter Landais, Esq; Captain of the Continental Frigate of war Alliance, L'Orient."

" S I R,

" L'Orient, June 12th, 1780.

" I have received yours of this date, in which you ask my opinion, whether it would be agreeable to the laws of America that you go on board the Frigate Alliance, confided to your care by resolve of Congress, and whether you are answerable to Congress for the Frigate.

" The situation, Sir, in which I view you, is that of an officer distressed between an indispensable duty to the trust reposed in him by Congress, and a laudable desire of executing that duty with as little offence as possible to their Minister here, and those in authority under him. It is to a gentleman in this situation, and a foreigner in our service, duly diffident of his knowledge of the laws of the United States, that I give my opinion.

" It cannot admit of a doubt, Sir, that an officer intrusted with the command of a ship by a resolve of Congress, is bound to keep, guard, and defend such ship 'til he sees a resolve of Congress for devolving that trust upon another ; and consequently that it is your duty to keep command of the Frigate Alliance, confided to you by resolve of Congress, 'til you know that the same authority has given that command to some other person.

" I have the honor to be, with much esteem, Sir, your most humble servant,

(Copy signed)

" ARTHUR LEE."

Next day (13th) I sent word to Lieut. Degge, commanding officer on board the Alliance, to send my barge on shore, at 3 o'clock, P. M. exactly, where she came ; I went in her, on board the ship, where, when going up the ladder of the ship, the men who were bending the topsails to the yards, and the rest of the crew, gave three huzzas, in token of their satisfaction, to see me on board. I invited all the officers, formerly under my orders, in the cabin, where being all assembled, I told them they and my duty, had recalled me to resume my command on board the Alliance, as the lawful Captain of her, as being appointed such by a resolve of Congress ; and I asked whether they had any objection against it ? they answered they had none to the contrary, they would obey my orders cheerfully, acknowledging that I was the only one who had a right to command said Frigate. I went with all those officers on the quarter-deck ;
had

had all the people called there, where I had my commission and resolve of Congress, appointing me Captain of the Alliance, read loudly; after which I asked them, whether they acknowledged me to be the lawful Captain of the Alliance; they answered they did, and gave three other huzzas, in token of their approbation thereof.

I asked the officers formerly belonging to the Bon-homme Richard, whether they acknowledged me to be the only lawful Captain of the Alliance; they answered they had shipped with P. Jones, Esq; and he was their Captain, and asked me to go on shore: I ordered boats to carry them there.

I instantly wrote, to the Commander of the harbour, to the Commander of the road, and to Capt Jones, each a letter, acquainting them that I had resumed my command on board the Alliance; Capt. Jones only refused to receive my letter.

I enquired of the officers, the situation the ship was in, in all respects; they told me there was in the hold, two hundred and sixteen barrels of gun-powder, eighteen iron eighteens, and eighteen nine pounders, guns; and that it was full: besides, there were between decks, seventy-two boxes of small-arms. The officers told me also that Capt. Jones had been on board, in the morning, and had told them he was going to America in the Alliance, as soon as she could be ready to sail. I gave the orders I thought necessary for the security and police of the ship, and to fit and prepare her as soon as possible, for sea.

The Commander of the harbour, Mr. de Thevenard sent me word he wanted to speak to me; I sent him in answer, I could not leave the ship on any account whatever: he kept writing to me daily, until I was out of the harbour, inviting me at first, and after, ordering me to go on shore; I answered, I was sorry I could not comply with his desire, nor obey his orders, as my duty in the United States' service I was in, required my staying on board.

I took the first opportunity of the post, the next day, to send the following letter to the American Minister, in France, viz.

May it please your Excellency,

I wrote a letter of the 29th May, by duplicates, and have received no answer. I begged your Excellency would inform me by what authority I was kept from my ship. I enclosed a copy of a letter from the Secretary of the Hon. Navy-Board, Philadelphia. My officers and crew inform me they have wrote to you, begging that I might be restored to them, as they knew of no other Captain for this ship but me; they also inform me that no answer has come to their hands. I have, Sir, with the advice of the principal Americans, and the desire of my officers and crew, taken the command yesterday as my right, and am determined to keep her and carry her to America, as required by Congress in the letter from the Secretary of the Hon. Navy-Board that I enclosed to you: I therefore beg you will have the officers and crew paid their prize-money, and send me your dispatches, that I may fulfil the orders of Congress. On my going on board my officers and men received me very cheerfully, and acknowledged me to be their lawful Commander, and no other, until they see a resolve of Congress for another Captain; I am ready to sail whenever you will be pleased to pay the people, and send me your dispatches. I am, with the greatest respect, your Excellency's most obedient and very

P'Orient, June 14th, 1780.

humble servant, PETER LANDAIS.

To his Excellency Benjamin Franklin, Esq, &c. at Passy, near Paris, by duplicate.

Next post day I wrote the following, viz.

May it please your Excellency,

My last to you was on the 14th instant, in which I informed your Excellency that I had taken the command of the ship Alliance, which I left in the charge of my Lieutenant. There are on board this ship 67 cases containing small-arms, and 216 barrels of powder, which are claimed by Mr.

Thevenard, Commander of the port of l'Orient: I know not on whose account, whom they belong to, or by whose orders they were placed here; there are also on board some cannons in the same predicament, except that they have not been claimed; if it is by your order, you will please to acquaint me with it, and let me know what to do with them.

I have repeatedly desired your Excellency to have my people paid their prize-money, but I have never had the honor of receiving an answer. I shall only add now, that I am sure it will be for the interest of the United States, that no more time be lost by that delay.

As I have only shewn your Excellency my commission, I have now the honor of enclosing you a copy of it, with documents sufficient to convince your Excellency, that I have the sole right of commanding the Alliance. And if your Excellency has any orders or dispatches for America, for me, I am ready to receive them, if circumstances permit me to wait for them. It will be necessary for me to receive permission from your Excellency for these gentlemen you think proper to give a passage in this ship.

I wrote your Excellency by duplicates, and desired to be answered so and by the same way, that I may be sure to receive your letters.

I have the honor to be, with due respect, your Excellency's most humble servant,

P. LANDAIS.

l'Orient, June 16, 1780.

His Excellency B. Franklin, &c. &c. at Passy, near Paris.

On the 18th instant, being ready to sail, I sent a letter to acquaint the Commanding officer upon the road, I should go out of the harbour as soon as the wind would permit. I sent likewise one to Mr. de Thevenard, to ask him to send me a pilot: at the same time the signal for the want of a pilot was hoisted, and a gun fired. About eighty men belonging formerly to the Bon-homme Richard, but since six months had made part of the Alliance's crew, being paid and fed as such, were sent for by Capt. Jones; I refused to deliver them, having none to replace them; said people mutined, and refused to do any duty whatever on board, wherefore I ordered them to be put in irons. On the same day Messrs Moylan and Jonathan Williams came on board to bring me a letter, they said, from Dr. Franklin, but insisted that, as the direction was to Peter Landais, formerly Captain of the Alliance, I should express the same words; I offered to open the letter, show them the date and signature in it, and give a receipt, mentioning whom it came from, and on what date, but they would not, and carried it back.

On the 20th instant, the wind S. W. calm, I ordered in the evening to unmoor and warped down the Frigate; at day-break, being two musket-shots off Port Louis's citidal, the wind beginning to blow fresh, we came at an anchor. In the afternoon, many boats came down from l'Orient, with cables and anchors, and made a boom across the entry of the harbour, just below the Alliance. I had intelligence that Capt. Jones had obtained the fitting out of a row-galley, with many boats, loaded with soldiers, in order to come, board, and surprize the Alliance in the night: in the evening I sent a letter to the Commander of the citadel, to desire him to have the entry of the harbour open, that the Alliance might go out: he gave no answer: About 9 o'clock, P. M. I perceived the row-galley, in the dark, coming down, as I had heard, an hour before, one of the Bon-homme Richard's men, who was in irons, with the rest of them, say to the others, that they would soon be free, and I should not live in two hours time; as the Gunner had brought me word of their threats, on that account; as I thought I had strong reason of suspecting the Captain of marines, to be in Capt. Jones plot, I ordered those men of the Bon-homme Richard to be put between decks, and divided the officers and men all along the ship; the latter armed with pikes, with order to prevent anybody who would offer to
come

come on board ; I drew my sword, took a speaking-trumpet, and went on the forecabin ; I sent word to the Captain of marines to deliver some muskets to the crew, but he would not ; I went off myself and asked him why he refused to obey my orders ; he replied, he had his marines under arms, and they were enough : as I knew that one Serjeant and several of the marines had already received, on shore, some money by Capt. Jones's direction, and, may be, a great many others, I had no great trust in any of the marines under Capt. Parke ; I went to open the arm-chests, but saw a quantity of muskets, with bayonets ready fixed, standing up at the end of the chest ; I told the people to take them and disperse all along the ship : this increased still my suspicion, as I conjectured those muskets were there ready in order to arm the Bon-homme Richard's people, who could have easily got out of irons, had I not ordered them secretly to be put between decks : almost convinced of Capt. Parke's treachery, by his denial to have muskets delivered as I had ordered, I told him to take care how he should behave : and I told Mr. Blodget, aside, to run him through, if he proved undutiful and a traitor. I went again forward, the galley coming down very silently, when at two musket-shots distance, I hailed her ; as soon as they heard my voice, finding I was not kept down to read a pack of letters that Capt. Parke had received, and attempted to make me read a quarter of an hour before ; they came at anchor, and undertook nothing, hearing me upon deck all night. The next morning they took off the boom, and having weighed the anchor, we drove out with the tide, paying away of a hawser, fastened to a mooring ; and about 9 o'clock, A. M. came at anchor, and moored about two miles South West of the citidel of Port Louis.

I wrote the following, viz.

S I R,

I have the pleasure to acquaint you that I have arrived without the port of l'Orient, where I am now at anchor, and have met with no accident. I shall be ready for sea when I have received the supplies which I have demanded, and when my officers and men have received their just due. I should be obliged to you for your advice whether I had not better send an express to Paris on that subject. I am ready to receive your baggage when ever you think proper to send it or any part of it ; and shall be ready at all times to give you proofs of the sincere attachment with which I have the honor to be,
Hon. Sir, your most obedient, and humble servant,
 P. LANDAIS.

Ship Alliance, below Port Louis, June 21, 1780.

Hon. Arthur Lee, Esq;

In the evening being in the ward-room, talking about the preceeding evening, Capt. Parke said every one were to defend themselves ; I asked him if he would not defend me as Captain of the Alliance, against a party which would interfere with my command ; he answered he would defend the Frigate against the common enemy, but that every one ought to defend themselves : I ordered him to go and keep under an arrest in his birth.

The same day was delivered to Mr. Dale, two trunks and bedding, belonging to Capt. Jones ; but I refused to deliver the Serapis's barge, which he claimed as his own, and the Bon-homme Richard's people.

On the 22d, was sent on board by the Commander of the harbour, Mr. de Thevenard, one pilot, and the 23d, we sailed, and got at anchor off Groais Island, I received the same day the following letter, viz.

" Capt. Peter Landais,

" Versailles, June 16, 1780.

" I am much surprised to learn that you have, contrary to the express orders contained in mine of the 7th instant, taken upon yourself the command of the Alliance Frigate. I do hereby repeat these orders, and charge you to quit the ship immediately.

I am your humble servant,

(Copy signed)

" B. FRANKLIN."

I looked on the above only as a continuation of the arbitrary tyranny of Dr. Franklin, as he did not justify his power, in giving me such an order, more than all his former transactions, to my utter prejudice.

On the 24th the Honorable Arthur Lee, Esq; came on board, and desired to have his post-chaise put on board; I represented to him the impossibility of it, as there were already seventy boxes of small-arms between decks; but I told him he might sell it and buy for the amount thereof some silk to put in his trunk, or even a box of tea, that Congress, I suppose, would not find it amiss; being dissatisfied, he refused my offer, and never said a word more about it.

On the 25th, he wrote me the following letter, viz.

“ P^o Orient, June 25, 1780.

“ S I R,

“ The resolution you declared yesterday of not sailing 'til the prize-money was paid; has given me so much uneasiness, as well on your account as on that of the public, that I cannot help stating to you on paper my reasons for thinking you ought not to delay sailing one moment after the wind will permit.

“ It is manifest, from the express order sent for the immediate return of the Frigate, that she is wanted in America; and she contains so valuable a cargo, that every moment's delay, or unnecessary risque of it, is a public injury; when the attainment of what you are awaiting for is so far distant and uncertain, even in your own opinion, that you might make a voyage to America and return again, before there is a probability of the matter being decided. I suppose the ship and cargo under your care, are of two millions value to the public: your stay, especially in such an exposed situation, risques the ship for a precarious expectation of fifty thousand; add to this, that the former is a public, the latter a private object, which should never be preferred. It is certainly very laudable in you to endeavour to have justice done to the officers and men under your command; but it is as assuredly culpable to sacrifice the essential interests of the public to that pursuit, nor will any thing justify an officer for disobeying his orders, but the impossibility of executing them.

“ The desire of the officers and crew to return to their native country, prevails at present over the wish of obtaining their prize-money; but who can answer how long that disposition will continue? If you stay here, you must let them come on shore and expose them to involve themselves in new debts, and to be acted upon by the arts of suggestions of those who are watching every opportunity of seducing them and disturbing the harmony on board, which will inevitably soon produce ill-humour and discontent; upon which your enemies will contrive, in spite of every precaution you can take, to improve so as infinitely to embarrass, if not totally stop your proceedings. It is in the power of those who wish you ill, and would be happy to see you incur blame, to delay the payment of the prize-money; and you are furnishing them the strongest of all inducements to do this, because they know it will delay, embarrass, and bring censure upon you: and this they may do, without its being possible for you to obtain proofs of its being their fault. Thus your delay will give the pleasure to your enemies of saying, with every appearance of truth, that your taking the command has prevented the return of the Frigate, detained the supplies, and thrown every thing into confusion.

“ As to the justice due to the people of the Alliance, it appears to be a strange way of repairing the injuries they have suffered from being detained so long in Europe, and not having any prize-money; to detain them still longer, and be the means of delaying the payment still more: more especially as they cannot get the payment of their wages until they return to America, and that one month's cruise upon their own coast, would not only do great service to the public, but obtain prizes for them, of which they would be sure to receive the profits, all which they lose by waiting here in expectation of that which it is not reasonable to expect.

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" In short, Sir, it appears to me as manifest as the light by which I write, that you are doing an injury to the public, to the people, and to yourself, by your stay. I shall be much obliged to you to let me know your final resolution, whether it is to stay until the prize-money is paid, at all event, or not, or whether you will only wait a short time, and then sail, whether your expectations are justified.

" I have the honor to be, with the greatest esteem, Sir, your most obedient;

(Copy Signed)

" A. LEE."

Extract of a letter wrote to his Excellency Benjamin Franklin, Esq; by Commodore A. Gillon

" l'Orlent, June 12, 1780.

" S I R,

" As I have officially been applied to by the officers of the Continental Frigate Alliance, I think it my duty to acquaint your Excellency therewith, and therefore enclose you my reply thereto (which is the same as his opinion given heretofore) that you may be aware of all I do herein, and to avoid misrepresentation, and that by your superior influence, you may direct the alarming consequences to be prevented, that must follow; should any armed force of this country interfere in the regulations of the navy of America, which regulations have been established by our Rulers; thus no officer can err that abides by them, and acts conformable to the laws of the land.

" Your Excellency well knows, that I ever avoided interfering with the officers or directions of any of the continental ships in Europe, otherwise I should have avoided all that has now happened, as you know I was clear of opinion last year, that all the vessels that appeared to be continental in this harbour last June and July, should have directly proceeded to the relief of the country, whose flag they hoisted; excepting your Excellency and the Captains of such ships, had positive orders to send them on other cruizes, and as a farther proof, you know I at the same time offered to go with all the State-officers under my directions, as volunteers in that fleet then fitting out here, if going to America; this I say proves I did not seek to interfere with continental officers; but, Sir, whenever I am officially called on for my opinion, I should be wanting in my duty, did I neglect giving it; I therefore gave it as per enclosed copy, as an officer and as a citizen of America; and so clear I am in it, that I shall trouble the Continental Congress with a relation of all I do in this and every of any business in Europe, and shall also request the Governor of the State, under whose particular direction I am, to lay my conduct, in this matter, regularly before Congress.

" If I have erred in this opinion, it can only proceed from being ignorant of any orders Congress has sent to Capt. Landais, to deliver up the Alliance to you, to appoint another Captain, because as Capt. Landais has a positive order from Congress, for the command of the Alliance, and that the Admiralty or Navy-Board, still address Capt. Landais as Captain of the Alliance; he and all proper officers in the service, must conceive it to be his duty, to take care of his ship; your Excellency may, therefore, I presume, easily rectify this dispute, by complying with what every officer has a right to demand, before he obeys, that is, by your directing any person whom you nominate to supersede Capt. Landais, as also to the next officer on board the Alliance, whenever your officer goes on board to take the command, the First-Lieutenant of that ship should see that order; this, Sir, is usual in all services, else any man might go on board of any ship, and take the command of her.

" I hope your Excellency will do me the justice to believe that all my conduct herein proceeds from no other motive but a true regard to the country I ever will revere, and from justice that is due to every officer in our service, and because I am called on officially in this unhappy business which I conceive is in your power to redress, in a few words, by furnishing Capt. Landais with a copy of Congress's order, about him and the Alliance, that orders him out of the ship, or else by letting him conformable to his orders, or to the rules the Rulers have prescribed; Sir, may prevent every

fatal consequences, as I will maintain the doctrine, that no foreign power has a right to interfere (particularly by force) with our American naval regulations, and that no officer can be divested of his command but by those who gave it him, and even then but by a regular Court-martial..

"Your Excellency will please to consider I address you officially, and don't mean to offend; but I ask, speak, and write as every free man of America has a right to do.

"With every respect, I have the honor to be,

"Your Excellency's most obedient, and most humble Servant,
(Copy Signed)

A. GILLON, Commodore of the navy
(of the State of South-Carolina.

"P. S. Your Excellency's reply per return of post will oblige me, under cover to Messrs Heretiers Fourcade and Co. merchants here.

"His Excellency Benjamin Franklin, Esq;

By the above letter given by an American officer, the only one acquainted with the sea service, to be consulted in the present case, it was undeniably and fully proved to his Excellency that he could not take nor keep from me the command of the Frigate Alliance, without breaking all laws, making an abuse of the power he was entrusted with, against a free man, and an officer, unless he could produce an order of Congress to divest me thereof: but he was unwilling to listen to justice, reason, law, or counsels, and those could avail me nothing against his Excellency's arbitrary acts to my prejudice, for he was determined thereupon, being persuaded he would have, I suppose, somebody to support him and his tyranny, in America.

"Extract of a letter from Mr. de Sartine, Minister of the French navy, to Mr. Gillon, Commodore of the South-Carolina navy, at P'Orient.

"Versailles, June 19, 1780.

"I received, Sir, the letter you did me the honor to write to me the 12th inst.

"I cannot be of your opinion, Sir, on account of Mr. Landais; that officer ought always to be looked upon as a King's subject. If he was naturalized in America, his Majesty hath neither acknowledged or authorized his naturalization, and he cannot see in him any thing more than a subject who tries to forsake the dominion of his master. I am ready to believe that your good advices will bring him back to his duty, and that you will make use of that consideration which ought to give you your military rank, and your personal qualities, to contribute as much as lay in your power, to re-establish the good order on board the American Frigate Alliance, of which the command has been given to Mr. Jones by Mr. Franklin, Minister Plenipotentiary of the United States, and the only person whose his Majesty can know to be authorized to act in the name of those States.

"I have the honor to be, with a sincere attachment,

"Sir, your most obedient, most humble Servant,
(Signed)

"De SARTINE,"

It does not appear by the above letter, that the French Minister had any reason there to complain against my conduct, during the time I had been on board the Alliance, nor when I was formerly in the French-sea service (as his Excellency hinted in his letter to me) or he would have expressed something of it; but it appears rather, that I was a subject the King did not like to part with: moreover it appears that said Minister exculpated himself, in some degree, of having had any hand in taking the command of the Alliance from me, saying, Mr. Franklin did it; besides, he appears to insist that said command was given by his Excellency to Mr. Jones, as if he wanted to get rid of the latter.

Here follows another, viz.

"Versailles,

“ Versailles, June 19, 1780.

“ I received, Sir, your letter of the 9th instant.

“ I wish an opportunity might occur soon to procure you a passage to America, but if you do not take advantage of the Alliance sailing thither, I don't foresee when it will be possible to give you such passage in a King's ship.

“ It is but by Mr. Franklin, Minister Plenipotentiary of the United States, that the demands of the Alliance's crew may be represented. I cannot be of your opinion on account of what concerns the conduct and pretensions of Mr. Landais; he has not ceased to be one of the King's subjects, since his Majesty has not authorised nor acknowledged his pretended naturalization as an American. I am apt to believe that your sound advice will bring back that officer to his duty, and I would be very sorry to have reason to think that your opinion on the discussion in question, might contribute to make the disorder continue on board the United States' Frigate.

“ I have the honor to be perfectly, Sir, your most humble and most obedient servant,

Translation and Copy

(Signed)

“ De SARTINE.

“ Mr. Lee.”

The foregoing corroborates in a great degree with the preceeding from the same, to Comodore Gillon on my account.

Here follows one letter from his Excellency, more artfully composed than any one that has yet appeared, which shows fully he did not keep within the bounds of his office, but did any thing to hurt me, viz.

“ To Lieutenant James Degge, of the ship Alliance, and the other officers of the said ship, at l'Orient.

“ Passy, June 17, 1780.

“ GENTLEMEN,

“ I received your letter, dated the 12th of April past, expressing that you were in necessitous circumstances, and that you were alarmed at having received neither wages nor prize-money, when the ship was so nearly prepared for sea. June 1

“ Having had nothing to do with the prizes, and understanding that they could not soon be turned into money, I had answered the purpose of your letter, in the best manner in my power, by advancing twenty-four thousand livres, to supply the most urgent of your necessities, 'till the prize-money could be obtained.

“ With regard to your wages, I thought the expectation of having them paid here, was wrong. No body in Europe is empowered to pay them, and I believe it is a rule with all maritime states, to pay their ships only at home, by an officer where the accounts are kept, and where only it can be known what agreements were made with the officers and men, what advances they have received, and what their families attorneys may have received in their absence. I had many letters and informations from l'Orient, acquainting me with the discontent of the people of the Alliance, at the method proposed of valuing the prizes, in order to their being paid for by the King; and that our ship would not possibly be got out, unless that method was changed, and the prizes fairly sold at auction to the highest bidder. I then applied to have the change made, and it was readily agreed by the Minister of the marine, that they should be sold: but to sell them suddenly, would again have been liable to objection, and therefore time was given in the advertisements, that distant purchasers of ships might know of the sale, and a greater number of buyers give a chance of a higher price for your benefit; had the first method been complied with, I am inclined to think, from his Majesty's known generosity, a better price would have been obtained (as similar instances have proved) than is likely to be got by the sale, and you would have had your money sooner: I consented to change, to satisfy, and if possible, please you. The delay, was, by no means, agreeable to me, as it occasioned a great additional expence, and I heartily wished the ship in America.

“ I

" I did, as you have heard, send a memorial to the Court of Denmark, claiming a restitution of the prizes or of their value ; this memorial was received long before they sailed from France ; they were, nevertheless, allowed to, depart for England, and the only answer I have had from that Court is, that the restitution was made in pursuance of treaties between the two powers.

" I am not satisfied with this answer, but have laid the whole matter before Congress, desiring their instructions. You may be assured that not a penny of the value has yet been paid ; and that if any thing is recovered while I am concerned in the business, strict justice will be done you, which I have also no doubt, will be done with regard to the Serapis and Countess of Scarborough.

" Having received several letters from you formerly, complaining in strong terms of Capt. Landais' conduct in the government of the ship, and his ill treatment of all the officers, except the Purser ; and having received also from Capt. Landais himself a letter, dated at l'Orient, May 15, 1779, in which he says, " You all joined together against him, even before he left Boston ; that he was promised another set, but being ready to sail, the Navy-Board thought your behaviour would be better when at sea ; on the contrary it grew worse, and was come to that pitch, that he was compelled to acquaint me with it, that I might take a proper method to remedy it ; and if no other was to be found he would rather chuse to leave the command, than continue with such officers.—After all this, it is a little surprising to me, that Capt. Landais, who came to Paris only to vindicate himself from some charges against him, and there voluntarily, as I thought (and in pursuance of his former resolution) relinquished the ship, by desiring me repeatedly to give an order for taking out of her the things he had on board ; and who never once, during all the time he staid here, expressed the least wish, or gave the least hint of a desire to be continued in her, 'till he heard she was upon the point of sailing ; and now that he could demand to be placed over you, and that you should wish to be again under his command—I know not how to account for this change.—But having agreed to what I imagined from the letters on both sides, would be agreeable to both you and Capt. Landais, and placed another Captain in the ship, I cannot now comply with your request. I have related exactly to Congress the manner of his leaving that ship, and though I declined any judgement of his manoeuvres in the Frigate, I have given it as my opinion, after examining the affair, that it was not all likely either that he should given orders to fire into the Bon-homme Richard, or that his officers would have obeyed such orders if he had given them. Thus I have taken what care I could of your honor in that particular ; you will therefore excuse me, if I am a little concerned for it in another. If it should come to be publicly known, that you had the strongest aversion to Capt. Landais, who had used you basely, and that is only since the last year's cruize, and the appointment of Commodore Jones to the command, that you request to be again under your old Captain, I fear suspicions and reflections may be thrown upon you by the world, as if this change of sentiment must have arisen from your observations during that cruize, that Capt. Jones loved close fighting, and that Capt. Landais was skilful in keeping out of harm's way, and that therefore you thought yourselves safer with the latter. For myself, I believe you to be brave men, and lovers of your country and its glorious cause ; and I am persuaded you have only been ill advised, and misled by the artful and malicious misrepresentations of some persons I guess at.—Take in good part this friendly counsel of an old man, who is your friend.—Go home peaceably with your ship : do your duty faithfully and cheerfully : behave respectfully to your Commander, and I am persuaded he will do the same to you. Thus you will not only be happier in your voyage, but recommend yourselves to the future favours of Congress, and to the esteem of your country. I have the honor to be, Gentlemen, your most obedient and most humble servant,

(Signed)

" B. FRANKLIN.

" l'Orient, 18th June, 1780.

" A true copy examined with the original. (Signed)

M. PARKE, C. M.
JAMES DEGGE."

The

The officers received the foregoing letter only, June 18th 1780, by which it appears that it was antedated, to prove his Excellency's readiness to give them money.

If his Excellency had been really willing to let the Alliance's officers and crew have some of their prize-money, he might have done it sooner, as the two prize-brigs, one loaded with fish oil, the other with beef and butter, had been sold in France for ready money, in the preceeding month of October; he hints that, previous to his answering on that account, he generously had advanced twenty-four thousand livres, to supply the most urgent of their wants; but it appears that letter was wrote only after his Excellency knew I had resumed (according to the officers and crew's invitation) my command on board the Alliance, in order to sooth the officers by his liberality, to their request, and draw their affection from me, who had nothing but my right and honesty, to offer to them, to balance his kind writing and compliance to them.

The money was sent at the same time to the direction of Capt. Jones, whose adherents made use of it to draw, I was told, every one they could, from their duty to me; and any one of those that would not acknowledge Capt. Jones to be the lawful Captain of the Alliance, either officers or foremast men, did not receive a farthing of it.

It may be observed how his Excellency wants to appear ready, in order to please the officers and crew, to sell the prizes which had been in France five months, and could have been sold then, and those officers and crew paid therefor, when he might have agreed with the French Minister and others concerned thereupon; but instead of that, he still makes use of specious reasons for retarding the sale of them, and keep them from being paid for. His Excellency after a long prologue, says, that he consented to change (the way of selling the prizes) to satisfy and please the officers. N. B. by which word *consented*, he owns it was in his power to have them sold any way, at any time, though he and the other concerned, had no business to meddle with the Serapis and Countess of Scarborough men-of-war prizes, which were wholly belonging to their conquerors, if the Bon-homme Richard had been either King or United States' vessels.

His Excellency is pretty explicit in the paragraph relative to the Alliance's prizes sent to Bergen, saying he had sent himself a memorial to the Court of Denmark about them (though he said in the second paragraph he had had nothing to do with the prizes, but he does not say as much with regard to their produce) But there is another observation to be made about his Excellency's sending himself a memorial, claiming those prizes from the Court of Denmark, as if the Bon-homme Richard and the Vengeance had been King's vessels, having an appearance of right to claim a share in the prize-ship Union; the French Minister's memorial to claim that prize in the King's name, would have had more weight then with that Court, than the United States' Minister. The United States' independence, being yet unacknowledged by that Court; therefore his Excellency writing said memorial to that Court, corroborates with his letter to Commodore Gillon, that the Bon-homme Richard, &c. (were not King's ships but privateers) belonging to concerned. Moreover, his Excellency, even by that paragraph and others, is bound for the prize share to the Alliance's company.

In the paragraph wherein his Excellency says, that a year before the officers of the Alliance had complained against me, then in strong terms; he does not say they ever complained against me since that time, because at that time the First and Second-Lieutenants having left her, the others were all pretty quiet. It may be observed, that his Excellency knew those two Lieutenants had left the ship, since he directed the foregoing letter to Lieut. Degge, who was the year before only Third-Lieutenant: moreover, he knew that all the officers and crew had lately wrote to him to reinstate me Captain of the Alliance, as the only lawful one of her: on the other hand, his Excellency rehearse the purport of my letter, dated May 15, 1779, the only one in which I complained against the officers undutifulness; but since that time no letter either side had been

wrote on the same subject, consequently he had no reason then to deprive me of my command on that account. But it appears to me, that his Excellency having exhausted all his skill to take the command of the Alliance from me, and give it to Capt. Jones; knowing that he could never find any good reason to justify his conduct therein, he wrote to the officers that he had sent them some money to soothe them first, after he reminded those of the animosity they had against me a year before, and how, word by word, I had complained against them, to raise it again; both which inducements might have prevailed upon their minds, and made them prefer the money and Capt. Jones, to me; was it wisdom, justice, and duty in a Minister, to write thus to officers, in order to raise their jealousy against their Captain, I leave it to be judged, and whether it is not owing to that letter to the officers, that they arose, and the whole crew afterwards, against Congress's orders and mine?

How his Excellency misrepresents the fact, saying that I went to Paris, &c. he does not say he wrote me to go there, but hints I went on my own accord; he does not say neither that he gave me an order to stay there, fearing I would go back on board the Alliance, in Holland, and that he kept me thus there, about four months; he rather gives to understand that I relinquished my command, all which is proved false by my letters to him; he pretends I asked only for my things; but he does not say it was long after Capt. Jones had the command of the Alliance; besides, his Excellency knew it was in obedience to his letter to me in Holland, that I went to him in Paris, where he kept me by his order, and where it was his duty to give me another order to go and take my command, even if I had never spoke to him about it, as I did. His Excellency pretends I never hinted the least desire, during the time I was in Paris, to be continued in that ship, but when I knew she was on the point of sailing: he does not mention at what time I claimed of him my command, wanting to make understand that I never did it before I was in l'Orient, as the Alliance had never, since her last arrival there, been on the point of sailing, until after I resumed my command on board of her, as he says, *and that now he should demand to be placed over you, and that you should wish to be again under his command;—I know not how to account for this change*: wherein he expresses the word now, as if I had never before mentioned any thing about it; and he did not forget to make them sensible I demanded to be placed over them, and they wished to be again under my command, I suppose, to raise their jealousy again against me. But a striking observation may be made here, which is, if his Excellency was fully persuaded of the essential prejudice and animosity of the Alliance's officers against me, their certificates of the sketch and relation of the engagement on the 23d Sept. 1779, to justify my good conduct, had so much the more force, being given by my enemies.—His Excellency says, that *he had agreed to what he imagined from the letters on both sides, would be agreeable to both the officers and me*. He knew the same cause did not exist for a year past, therefore there was no reason remaining then therefor: moreover, if his Excellency, out of complaisance, did condescend to the officers wishes and mine, made a year before, why did not his Excellency likewise condescend to the then wishes of the Alliance's officers, crew and mine, in re-establishing me in the command of the Alliance, which would have agreed with my right to it, justice and the resolution of Congress thereabout? and why did he prefer to keep Capt. Jones in that command, though accused, and against all right! let his Excellency account for it. But his Excellency says, *he has related exactly to Congress, the manner of my leaving that ship*. I should be very curious to know how he had related to Congress, I had left her: But I may say by exactness, I left her in a similar manner as I had commanded her; that is, having before delivered a list of the articles she wanted, to be refitted, to Mr. Neuville; having asked of Capt. Jones part of her crew he kept by force, on board the Serapis, which he refused to return, though he knew the quantity of her sick people, and the number of prisoners on board to be.

be guarded, all which prevented the repair of the Alliance : When I received his Excellency's letter to me for going to Paris, I gave a written order to Mr. Degge, First-Lieutenant of the *Alliance*, to keep the command of her until my return back on board, after which I proceeded to Paris, in obedience to his Excellency ; if he has not related thus my leaving that Frigate in Holland, he has not been more exact in that particular, than in others : but the reader may judge by the foregoing letter to the officers, what he was capable of writing to Congress, and others in America, against me.—His Excellency says to the officers, *that he had taken care of their honor ;—*but after he says, *if it should come to be publicly known that you had the strongest aversion to Capt. Landais, who had used you basely, &c.* which is paradoxical as much as can be, for if the officers had honor to take care of by his Excellency, they having given me their authentic certificate of my good conduct, during the engagement, though they had the strongest aversion to me, who had used them (his Excellency says) *basely* ; it must be acknowledged that the officers' certificate was given to my good conduct, without any favour whatever, and therefore that my conduct was really good.—His Excellency's reflections and apprehensions of the public suspicion on the cause, why the officers preferred me to Capt. Jones, for commanding the *Alliance*, may have taken place, because his Excellency had persuaded the said public, by his having had the false relation of Capt. Jones (authenticated by his Excellency's name to it) printed : therefore the public might very well have been deceived by it, and believe in consequence thereof, Capt. Jones was a mighty man, and that I was a very guilty one. But his Excellency was not satisfied yet, with all he had done to sacrifice my character in the United States' navy. He attacked, it also, in his letter to me, dated Passy, March 12th, 1780, in the French one : besides, his Excellency's letter to the officers, after having first promised them money, after soothing them, tried to raise and imbitter their animosity against me ; he threatens them with the public reflection on their preferring me to Capt. Jones, for Commander ! but moreover and above, his Excellency does not stop there, he does all he can to persuade also those officers against their own sight, hearing, knowledge, judgment, certificate, sign, and honor, (they having been present with me in the engagement) of my cowardice, and of Capt. Jones's bravery, saying, *I fear suspicions and reflections may be thrown upon you by the world ; as if the change of sentiments must have arisen from your observations during that cruise, that Capt. Jones loved close fighting, and that Capt. Landais was skilful in keeping out of harms way, &c.*

Was all this the duty and justice of a Minister of a free people, of a wise, candid philanthropos and philosopher, was it prudent and politic in him to alienate, raise the animosity, hatred, unsubscription and treachery of those officers against their superior ; and was not the foregoing letter, the origin of the officers' and crew rising, six weeks after, against Congress's order ! does not such a Minister deserve the contrary epithets to the name I have used just above : I leave to the reader to judge what his Excellency was capable of writing against me to his adherents ; I leave to his sagacity to find all the unexplained blackness concealed in the foregoing letter, and formers to me : and also to judge his Excellency's and Capt. Jones's conduct towards me.

On the 4th July, 1780, Thomas Elick, one of the *Alliance's* Boatswain's-mate, told me he had received five French guineas, of Mr. Dale, upon promise that he would do his utmost to bring the crew to a resolution to claim and establish Capt. Jones, Commander of the *Frigate Alliance* ; and that he was also directed to transmit a pack of letters (which he delivered to me) to the foremast men of said Frigate : which was directed, *To the ship's company of the American Frigate Alliance, at anchor in the road of Grava, in France, and under Capt. Jones's seal ; where were enclosed the following, viz.*

No. 1.

" To the Hon. Commodore Jones, Commander of the Alliance Frigate, in the service of the United States,

" S I R,

" I have received a letter from the Board of Admiralty, containing their orders for the return of the Alliance, a copy of which is annexed for your government, and I hereby direct that you carry the same into execution with all possible expedition.

" With great regard, I am, Sir, your most obedient, and most humble servant,

True copy.

(Signed)

" B. FRANKLIN.

" Passy, June 1, 1780."

No. 2.

" Extract of a letter from the Board of Admiralty, to his Excellency Benjamin Franklin, dated at Philadelphia, March 28th, 1780.

" The Board think it will be necessary that the Frigate Alliance should be ordered to proceed for this port; and should any supplies be ready in France, a part may be sent in the Alliance, and the residue in other armed vessels under her convoy.

" I have the honor to be your Excellency's most obedient humble servant,

(Signed)

" FRA. LEWIS.

By Order."

No. 3.

" Hon. Captain Landais, late Commander of the Alliance, l'Orient.

" S I R,

" Passy, June 7, 1780.

" I received yours of the 29th past; and after the manner in which you quitted the ship, my clear and positive refusal of replacing you contained in mine of March 17, and my furnishing you with a considerable sum to enable you to go to America for a trial, I am surprised to find you at l'Orient when I thought you had long since been in your voyage, and to be told that you had been waiting ever since for my order to retake the command of the Alliance, when I had never before heard of your being there, or given you the least expectation of the kind.—The whole affair between us will be laid before our superiors, who will judge justly of the consistency and propriety of your conduct and of mine; I waive therefore any further dispute with you, but I charge you not to meddle with the command of the Alliance, or create any disturbance on board her, as you will answer the contrary at your peril.

" I am, Sir, yours, &c.

(Signed)

B. FRANKLIN."

No. 4.

" Versailles, June 16, 1780.

" Capt. Peter Landais,

" S I R,

" I am much surprised to learn that you have, contrary to the express orders contained in mine of the 7th instant, taken upon yourself the command of the Alliance Frigate. I do hereby repeat those orders, and charge you to quit the ship immediately.

" I am, Sir, your humble servant,

Copy

(signed)

B. FRANKLIN."

No. 5.

" Passy, June 12, 1780.

" Hon. Commodore Jones, Commander of the Alliance Frigate, at l'Orient.

" Dear S I R,

" Saturday morning last, I received a letter signed by about one hundred and fifteen of the sailors of the Alliance, declaring that they would not raise the anchor, nor depart from l'Orient 'til they had fix
more be

months wages paid them, and the utmost farthing of their prize-money, including the ships sent into Norway, and until their legal Captain P. Landais, is restored to them, or to that effect. This mutiny has undoubtedly been excited by that Captain, probably by making them believe that satisfaction has been received for those Norway prizes delivered up to the English, which GOD knows, is not true; the Court of Denmark not having yet resolved to give us a shilling on that account. That he is concerned in this mutiny, he has been foolish enough to furnish us with proofs; the sailors letter being not only enclosed under a cover, directed to me in his hand writing, but he has also, in the same writing, interlined the words their legal Captain P. Landais, which happen to contain his signature. I went immediately to Versailles to demand the assistance of government; and on showing the letter by which his guilt plainly appeared, an order was immediately granted, and sent away the same evening, for apprehending and imprisoning him; and orders were given at the same time to the Commissary of the Port, to afford you all kind of assistance: we thought it best, at the same time, to give directions that those sailors who have signed this letter, should not be favoured with receiving any part of the money ordered to be advanced, unless to such as express their sorrow for having been so misled, and willingness to do their duty; and that they may be known, this letter was sent down to Mr. de Monplaisir; but care should be taken that it be returned, as it contains the proofs above-mentioned against Landais, who will be tried for his life, being considered by the Ministers as an emigrant, without the King's permission, and therefore still a Frenchman. I see you are likely to have a great deal of trouble: it requires prudence: I wish you well through it. You have shown your abilities in fighting; you have now an opportunity of showing the other necessary part, in the character of a great chief—your abilities in government. Adieu,

Copy

(Signed)

"B. FRANKLIN."

No. 6.

"Versailles, June 16, 1780.

"To the Officers and Seamen of the Alliance Frigate.

"Gentlemen,

"Having judged it for the service of the United States to appoint Commodore Jones to the command of the Alliance, in his present intended voyage to America, I do hereby direct you to obey him as your Captain 'till further orders shall be given by the Honorable Congress.

"I am, Gentlemen, your friend and humble servant,

Copy

(Signed)

"B. FRANKLIN."

No. 7.

"John-Paul Jones, Esq; Senior and Superior Officer of the navy of the United States of North-America, in Europe.

"To Peter Landais, Esq; commanding the American Frigate Alliance, at anchor in the road of Groais, in France.

"By virtue of the authority vested in me by my commission, and for the essential benefit and service of the United States, I do hereby direct you not to sail nor put to sea, until you receive my special instructions for that purpose.

"You are also hereby directed forthwith to send here, eighty of the best riggers with all the joiners from the Alliance, to rig and prepare the Ariel. For which this shall be your order.

"Given on board the Ariel, in the port of l'Orient, this 28th day of June, 1780.

(Copy Signed)

"JOHN. P. JONES.

A true Copy.

Witness.

(Signed)

"MATTHEW MEAZE.

"The above is a true copy of a letter, which I have undertaken to deliver,

(Copy Signed)

"M. LIVINGSTON, Lieut. in the American navy."

"T

" To the ship's company of the Frigate Alliance, at anchor in the Road of Groais, in France.

" Gentlemen,

" Herewith I send you enclosed the paper marked No. 1, which is an order addressed to me from his Excellency B. Franklin, to command the Alliance, &c. to America. No. 2, which is an extract of the letter from the Board of Admiralty to Mr. Franklin, for the return of the Alliance, &c. with the public stores to Philadelphia. No. 3, which is an express order from Mr. Franklin to Capt. Landais, not to meddle with the command of the Alliance. No. 4, which is a repetition of that order, and a charge that Capt. Landais should quit the Alliance immediately. No. 5, which is an extract of a letter from Mr. Franklin to me, respecting the mutiny on board the Alliance, the payment of prize-money, &c. No. 6 which is an order to you from Mr. Franklin, directing you to obey me as your Captain. And No. 7, which is an order from me to Capt. Landais.

" None of these papers have hitherto, as I am told, been communicated to you.

—" Read them I pray you with attention ; and after reflecting seriously on your situation, tell me how I can relieve you from your present difficulties.

—" Be assured that it will give me the truest pleasure, to find in you such a disposition, as may warrant me to exert my best offices in your favour, and to claim and obtain for you before your departure, all your just demands.

" The prize-money is ready in the King's coffers ; and you may laugh at any one, who would persuade you that it is or can be arrested.

" I have ever been, and I am, Gentlemen, your sincere friend and fellow-citizen,

(Copy Signed)

" JOHN P. JONES.

" l'Orient, July 3, 1780."

By the letter number one from his Excellency Benjamin Franklin to Capt. Jones, it appears, that his Excellency was to direct me as the lawful Captain of the Alliance, to put in execution, with all possible expedition, the orders of the Board of Admiralty for the return of the Alliance, contained in the extract of the letter from the Board of Admiralty to his Excellency Benjamin Franklin, number two. And it was evident by that extract that the Alliance was ordered to go to Philadelphia.—By the letter from his Excellency Benjamin Franklin, number three, dated Passy, June 7, 1780, to the Honorable Captain Landais, late Commander of the Alliance, it appears that it was a copy of the letter which Messrs Williams and Moylon would not deliver to me, unless I gave them a receipt for it, in which they wanted me to insert, that I was late Commander of the Alliance, which I refused to do, and they carried the letter back ; it appears further that his Excellency had sent said copy to Capt. Jones ; that letter is devised and wrote, like all his Excellency's other letters to me, with the same arbitrary abuse of power and misrepresentations, therefore I leave the propriety or impropriety of it to be judged by the reader as well as the other ; number four, which I received and gave a receipt for ;—in the letter number five, from his Excellency Benjamin Franklin to Capt. Jones, dated Passy, June 12, 1780, his Excellency shows his art, his sorrow and anger, for being disappointed after all the injustice he had done to me, for taking and keeping said command from me, to give it to Capt. Jones ; his Excellency charges me of guilt of which he and Capt. Jones are the only guilty, and pretends it is a mutiny to take my lawful command, taken from me by encroachment and usurpation. And he threatens that I shall be tried for my life, as an emigrant, by the Minister, without the King's permission (and his Excellency says) and therefore still a Frenchman, and all that pretended prosecution made against my life, as it appears exacted from the French Minister, by his Excellency Benjamin Franklin, Minister Plenipotentiary of the United States, in France, whose absolute and direct duty was to support me, being naturalized in America, but after all that he had done, there is no wonder that he overlooked this immediate

ate part of his duty as well as others.—The letter number six, from his Excellency Benjamin Franklin, to the officers and seamen of the Alliance Frigate, dated Versailles, June 16, 1780, was a scheme to try whether he could make once more an abuse of his power with them, in order to take said command from me, and give it to Capt. Jones.

Number seven is the order of Capt. Jones to me, dated l'Orient, June 28, 1780, by which he acknowledged that I was then in actual command of the American Frigate Alliance; it may be observed, that he wanted to make me appear again, that I was then (being at Groais Island, at anchor six miles from the main land in danger to be attacked every moment by the enemies) under his order, though his Excellency had not ordered me to be so, since I had resumed my command on board the Alliance. Moreover, it appears by the impropriety of the contents of Capt. Jones's order, that he wanted to expose the Frigate Alliance to the danger of being made defenceless against the attack of the enemies in the road she was in, where they came very often, by ordering me to send him eighty of my best riggers, and all the joiners, and perhaps to seduce them to come and surprize with others, the few people on board the Frigate Alliance during the night. All which papers are announced to the ship's company of the Frigate Alliance, by a letter of Capt. Jones to the said ship's company, inclosed also in the same cover, under the seal of Capt. Jones, by which letter Capt. Jones prays said ship's company to read all he sends them with attention, &c. &c.—By which the reader may judge how far his Excellency Benjamin Franklin and Capt. Jones agreed in their lawless principles, in calling mutiny what was lawful in the ship's company in acknowledging and paying due obedience to me as Captain of the Alliance: and how they coincided in their threats and promises of money, to raise undutifulness and real mutiny in said ship's company, against my rightful command over them, in order to deprive me, and usurp again said command in favour of Capt. Jones.

END OF THE FIRST PART.

PAGE.	LINE.	R	R	A	T	A.
3	7	"	"	READ.	"	INSIEAD OF
5	5	"	"	Boynes	"	Boynes
7	33	"	"	send some;	"	send;
8	36	"	"	transmitted it	"	transmitted
14	14	"	"	Flamand,	"	Flaman,
23	23	"	"	happening	"	to happen
23	23	"	"	were	"	was
9	25	"	"	another	"	a another
10	41	"	"	where were	"	where there were
14	30	"	"	procure	"	procure
39	39	"	"	these	"	these
41	41	"	"	failing thence	"	failing from thence
33	21	"	"	write	"	wrote
32	21	"	"	receive	"	received
24	24	"	"	broken	"	broke
28	27	"	"	were	"	was
36	1	"	"	to Dr. Franklin	"	to Mr. Lee & Dr. Franklin.
23	23	"	"	required,	"	therefor,
37	1	"	"	but now and then	"	now and then
56	34	"	"	on our	"	our
67	39	"	"	in favour of the alliance	"	in the alliance condon'd
78	2	"	"	to give,	"	by giving,
102	3	"	"	to	"	do
110	32	"	"	plea,	"	play,
110	10	"	"	plea,	"	play,
		"	"	we	"	me
		"	"	mutined.	"	

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